

CITY OF FRANKLIN
COMMON COUNCIL MEETING*
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA**
TUESDAY, JUNE 3, 2014, 6:30 P.M.

- A. Call to Order and Roll Call
- B.
 - 1. Citizen Comment Period
 - 2. Announcements from Mayor Olson
 - a. Proclamation in Recognition of John M. Bennett
 - b. Recognition of John M. Bennett from Milwaukee County Board
- C. Approval of minutes of regular meeting of May 20, 2014.
- D. Hearings
- E. Organizational Business
 - 1. Boards and Commissions Appointments
 - a. Basil Ryan, Appointment to Board of Review submitted by Alderwoman Evans (Ald. Dist. 4).
- F. Letters and Petitions
 - 1. Letter from Milwaukee County Department of Transportation regarding interest in the designation of Old Loomis Road as part of the Oak Leaf Trail.
- G. Reports and Recommendations
 - 1. Consent Agenda:
 - a. Release of Escrow Deposits for Riverwood Village (location South 27th Street and West Riverwood Drive), River Park Subdivision (location South Susanna Court and West Villa Drive), Fountains of Franklin (location South 51st Street and West Preserve Way), Villa's of Franklin (location South Susanna Court and West Villa Drive), Fountains of Franklin (location 5600 West Rawson Avenue), People's Choice/Scrub Plus Car Wash (location 7700 West Rawson Avenue) and Berkshire Add. No. 2 Subdivision (location South 51st Street and West Berkshire Drive).
 - b. April 2014 Monthly Financial Report.
 - c. A Resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Report for Year 2013.
 - d. A Resolution authorizing acceptance of Storm Water Facilities Maintenance Agreement for Avian Estates, LLC location at West Avian Court.
 - 2. An Ordinance to Amend the Municipal Code as it Pertains to Deferment of Payment of Special Assessments.
 - 3. A Final Resolution directing installation of, payment and levy of special assessment for installation of water main in St. Martin's Road from S. Chapel Hill Drive to a point 440 feet southeast of S. Chapel Hill Drive.
 - 4. A Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Granted by Section 207-15 of the Municipal Code and Section 66.0701 of the State Statutes for installation of a water main in W. St. Martin's Road from South Chapel Hill Drive to a point 440 Feet Southeast of S. Chapel Hill Drive and setting the Public Hearing Date for July 15, 2014 at 6:30 p.m.

Common Council Agenda

June 3, 2014

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5. A Resolution awarding a contract in the amount of \$117,360.00 to The Wanasek Corp. for the extension of water main in West St. Martins Road from South Chapel Hill Drive to a point 440 feet southeast of South Chapel Hill Drive.
6. Request for Common Council to refer to the Parks Commission the review and recommendation for the official naming of the newly installed trail between Pleasant View School and the Victory Creek Subdivision (Alderwoman Wilhelm).
7. Authorization for Graef to perform soil borings necessary for plans and bidding documents for the development of Pleasant View Park including the street extension West Evergreen Street.
8. Reconstruction of S. North Cape Road (Phase 1) from W. Speedway Drive to W. Scherrei Drive relative to saving specimen trees.
9. Application of Milwaukee Water Works, Milwaukee County, Wisconsin, for Authority to Increase Water Rates; Public Service Commission of Wisconsin Docket No. 3720-WR-108; some 137 properties in the City of Franklin being affected thereby.
10. A Resolution to Dissolve the Mayoral Ad Hoc Development Process Review Committee.
11. An Ordinance to Direct and Authorize the Assistant City Engineer to Perform the Duties of City Engineer During Such Temporary Time as the Office of City Engineer May be Vacant.
12. Temporary or Interim Assignment Pay for the Assistant City Engineer while he is Assigned Interim Duties and Responsibilities During the Vacancy in the Position of City Engineer/Director of Public Works.
13. Request for Finance Department authorization to circulate Requests for Proposal for Financial Advisory Services to the City of Franklin.
14. Non-Represented employee general wage adjustment commencing July 2014.
15. An Ordinance to Amend Ordinance No. 2013-2120, an Ordinance Adopting the 2014 Annual Budget, to provide for General Fund Budgets Transfers for Fiscal Year 2014.
16. Committee of the Whole recommendation:
Franklin First Development Strategic Plan (Ticknor 2000): All Plan components update services agreement, with economic development consultant Ticknor & Associates, Inc.; Community direction and vision.

H. Licenses and Permits

1. Miscellaneous Licenses.

I. Bills

1. Vouchers and Payroll approval.

J. Adjournment

*Notice is given that a majority of the Plan Commission, Community Development Authority, Forward Franklin Economic Development Commission may attend this meeting to gather information about an agenda item over which, the Plan Commission, Community Development Authority, Forward Franklin Economic Development Commission have decision-making responsibility. This may constitute a meeting of the Plan Commission, Community Development Authority, Forward Franklin Economic Development Commission per State ex rel. Badke v. Greendale Village Board, even though the Plan Commission, Community Development Authority, Forward Franklin Economic Development Commission will not take formal action at this meeting.

**Supporting documentation and details of these agenda items are available at City Hall during normal business hours.

[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

REMINDERS:

June 5	Plan Commission	7:00 p.m.
June 17	Common Council	6:30 p.m.

A PROCLAMATION IN RECOGNITION OF JOHN M. BENNETT

WHEREAS, John M. Bennett began his public service in the City of Franklin on July 27, 1969; and

WHEREAS, the Common Council of the City of Franklin adopted Resolution No. 99-4899 on August 3, 1999, A Resolution Recognizing City Engineer John M. Bennett and His Thirty Years of Service to the City of Franklin, the preamble thereof in part noting "his substantial knowledge, practical 'know-how', and superimposed upon all, his sense of the common and greater good", and also his "commitment to excellence", and the Further Resolved of which concluded with the fact "that there is still more work to be done"; and

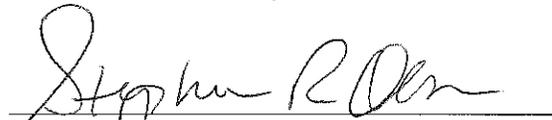
WHEREAS, John M. Bennett has decided to formally conclude the numerous culminations he achieved in his public service, spanning some four and a half decades with and for the City of Franklin, spanning a half century plus in all, and spanning all levels of American government and private service volunteer work throughout, with his final day of work as the City of Franklin City Engineer being June 6, 2014; and

WHEREAS, John M. Bennett during his service to the City did perform as Jack of all trades: as City Engineer, as Director of Public Works, as Manager of the Franklin Municipal Water Utility, as a member of the Plan Commission, as in effect the City planner for the first twenty plus years of his service to the City, and as the Franklin representative on numerous multi-level other governmental boards and committees, to the extent of the simple fact that if John M. Bennett is not the most recognized and unsolicited awarded therefore City Engineer in the history of the State of Wisconsin, he is among the top few so honored: all due to his personal dedication to duty, and getting it right under the law and for the People; and

WHEREAS, nearly all of the residents of the City of Franklin who were born here have either spent the majority of their lives or all of their lives (and those not born here also being substantially in the majority of their lives category) with the service of one singular extraordinary City Engineer.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Stephen R. Olson, Mayor of the City of Franklin, Wisconsin, on behalf of all of the Citizens of Franklin, the staff of City government, and all of those public officials and staff and private charitable organization individuals far and wide who know you and worked with you, Good Luck and Godspeed, John M.

Presented to the City of Franklin Common Council this 3rd Day of June, 2014.


Stephen R. Olson, Mayor

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CITY OF FRANKLIN
COMMON COUNCIL MEETING
MAY 20, 2014
MINUTES

- CALL TO ORDER A. The regular meeting of the Common Council was held on May 20, 2014 and was called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer (arrived at 7:45 p.m.), Alderwoman Kristen Wilhelm, Alderwoman Janet Evans, Alderman Doug Schmidt, and Alderwoman Susanne Mayer. Also present were City Engineer John M. Bennett, Director of Administration Mark Luberda, City Attorney Jesse Wesolowski, and City Clerk Sandra Wesolowski.
- CITIZEN COMMENT B.1. Citizen comment period was opened at 6:32 p.m. and was closed at 6:36 p.m.
- APPROVAL OF MINUTES C.1. Alderwoman Wilhelm moved to approve the minutes of the regular meeting of May 6, 2014, as corrected (E.1.s.). Seconded by Alderwoman Evans. All voted Aye; motion carried.
- APPOINTMENTS E.1. Alderman Dandrea moved to confirm the Mayoral appointment of Patricia Hogan to the Plan Commission for a one-year term expiring April 30, 2015. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.
- Alderman Dandrea moved to confirm the Mayoral appointment of Scott Thinnies to the Plan Commission to fill the unexpired three-year term expiring April 30, 2015. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.
- Alderwoman S. Mayer moved to confirm the Mayoral appointment of Kevin Haley to the Plan Commission for a three-year term expiring April 30, 2017. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.
- Alderwoman S. Mayer moved to confirm Alderwoman S. Mayer's appointment of David Kucharski to the Board of Review for a three-year term expiring April 18, 2017. Seconded by Alderwoman Evans. On roll call, all voted Aye. Motion carried.
- CH. 167 MUN. CODE RE: SVP F.1. Alderman Schmidt moved to place on file a letter from Police Chief Oliva regarding the successful use of Chapter 167 of the Franklin Municipal Code restricting residency of sex offenders in the City. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

COMMON COUNCIL MINUTES

MAY 6, 2014

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- RES. 2014-6987
SPECIAL USE FOR
SPOT FREE
CLEANING, LLC
8581 S. 27 ST.
- G.1. Alderwoman Evans moved to adopt Resolution No. 2014-6987, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A COMMERCIAL BUILDING AND CLEANING SERVICES USE UPON PROPERTY LOCATED AT 8581 SOUTH 27TH STREET (SPOT FREE CLEANING, LLC, APPLICANT). Seconded by Alderman Schmidt. All voted Aye; motion carried.
- SPECIAL ASSM.
DEFERMENTS
- G.2. Alderwoman Evans moved to deny the adoption of an ORDINANCE TO AMEND THE MUNICIPAL CODE AS IT PERTAINS TO DEFERMENT OF PAYMENT OF SPECIAL ASSESSMENTS. Motion died due to the lack of a second.
Alderwoman Wilhelm moved that an ORDINANCE TO AMEND THE MUNICIPAL CODE AS IT PERTAINS TO DEFERMENT OF PAYMENT OF SPECIAL ASSESSMENTS be tabled in order to give City Attorney time to review language and return to the Common Council meeting on June 3, 2014. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- RES. 2014-6988
SPECIAL ASSM.
W. EVERGREEN
ST. AND SET
HEARING DATE
- G.3. Alderwoman Wilhelm moved to adopt Resolution No. 2014-6988, A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS GRANTED BY SECTION 207-15 OF THE MUNICIPAL CODE AND SECTION 66.0701, WIS. STATS., FOR INSTALLATION OF SANITARY SEWER, WATER MAIN, SANITARY SEWER LATERALS, WATER MAIN LATERALS, THE EXTENSION OF A PUBLIC STREET INCLUDING CURB AND GUTTER ALONG WITH THE NECESSARY APPURTENANCES ON WEST EVERGREEN STREET EXTENSION FROM A POINT 800 FEET EAST OF SOUTH 51ST STREET TO A POINT 1,360 FEET EAST OF SOUTH 51ST STREET, and set a public hearing date for June 17, 2014, at 6:30 p.m. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- WATERMAIN
CONTRACT TO
WANASEK CORP.
W. ST. MARTINS
RD.
- G.4. Alderman Dandrea moved to table to the June 3, 2014 Common Council meeting A RESOLUTION AWARDDING A CONTRACT IN THE AMOUNT OF \$117,360 TO THE WANASEK CORP. FOR THE EXTENSION OF WATER MAIN IN WEST ST. MARTINS ROAD FROM SOUTH CHAPEL HILL DRIVE TO A POINT 440 FEET SOUTHEAST OF SOUTH CHAPEL HILL DRIVE. Seconded by Alderman Schmidt. All voted Aye; motion carried.
- W. RAWSON AVE.
BOULEVARD
MOWING AND
FERTILIZING
- G.5. Alderwoman Wilhelm moved to authorize execution of the proposal from Kujawa Enterprises, Inc. (KEI), dated February 27, 2014, for mowing and fertilizing West Rawson Avenue boulevards for the 2014 season, subject to receipt of a Certificate of Insurance, and to authorize

COMMON COUNCIL MINUTES

MAY 6, 2014

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staff to annually approve such purchase of services agreement provided appropriations for this purpose have been set forth in the approved budget, with the added negotiations of liquid vs. granular application with adjustments to proper broadleaf herbicide as needed by standards.

Seconded by Alderman Schmidt. Alderwoman Wilhelm withdrew her motion.

Alderman Schmidt then moved to authorize execution of the proposal from Kujawa Enterprises, Inc. (KEI), dated February 27, 2014, for mowing and fertilizing West Rawson Avenue boulevards for the 2014 season, subject to receipt of a Certificate of Insurance, and to authorize staff to annually approve such purchase of services agreement provided appropriations for this purpose have been set forth in the approved budget. Seconded by Alderman Dandrea. All voted Aye; motion carried.

Alderman D Mayer arrived at 7:45 p.m.

DESCRIPTION FOR
CITY ENG./DIR. OF
PUBLIC WORKS
AND APPROVAL
OF SEARCH

G.6. Alderman Schmidt moved to approve the revised Position Description for the position of City Engineer/Director of Public Works, as amended to include Common Council in the summary paragraph. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
It was then moved by Alderman Schmidt to authorize the Mayor and City Clerk to execute a professional services agreement with a public sector recruitment consultant for the purpose of conducting a national search for a City Engineer/Director of Public Works for an amount not to exceed \$16,500 to be funded from existing appropriations in the Department of Administration. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND
PERMITS

H.1. Alderman Dandrea moved as follows:
Hold operators' license applications for appearances by Kristen Hanson, 8820 Raynor Ave., Franksville; Patrick Klepacz, 9237 S. 80th St. until 6/17/14; and Cheyanne TerLaan, 7300 W. Southridge Dr., #205, Greenfield; Kristen Duffy, 8039 S. 85th St.; and
Deny the operator's license application for Danielle Johnson, 6918 Bay Wood Dr., Racine, due to the arrest and conviction record substantially related to the license activity; and
Deny the operator's license application for Aaron B. Bynum, 4536 N. 44th St., Milwaukee, due to the felony conviction and habitual criminality; and

COMMON COUNCIL MINUTES

MAY 6, 2014

PAGE 4

Approve operators' license applications for Laura Applegate, 3017 E. Grange Ave., #4, Cudahy (for 2013-14 and 2014-15); and Kevin Butler, 10080 S. Shepard Ave., Oak Creek; Teki Dilaveri, 4338 W. Victory Creek Dr.; and

Approve operators' license applications with updated driver's license information or notary public information for Holly Case, S67W14732 Janesville Rd., Muskego; Qiao Rong Chen, 6610 S. 35th St., #201; and Ashley Clark, 3035 W. Wisconsin Ave., #307, Milwaukee; and

Approve the change in premise description for the Class B Combination license for Robley Tech, Inc., Dennis Rau, Agent, 8330 W. Puetz Rd. subject to satisfactory inspections.

Seconded by Alderman Schmidt. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1.

Alderman Evans moved to approve net general checking account City vouchers in the range Nos. 152081 through 152250 in the amount of \$954,079.81 dated May 8, 2014 through May 15, 2014. Seconded by Alderman S. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated May 16, 2014 in the amount of \$321,451.17 and payments of the various payroll deductions in the amount of \$215,214.23 plus any City matching payments where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderman S. Mayer moved to approve the net payroll dated May 30, 2014 estimated at \$328,000 and payments of the various payroll deductions estimated at \$365,000 plus any City matching payments where required. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderman Evans moved to approve property tax refunds in the range of Nos. 13279 and 13280 in the amount of \$787.77 dated May 15, 2014. Seconded by Alderman S. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman Schmidt moved to adjourn the meeting at 8:16 p.m. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

APPROVAL	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE 6/03/2014
REPORTS AND RECOMMENDATIONS	Boards and Commissions Appointments	ITEM NUMBER E.1.
<p>The following appointment has been submitted for Council confirmation:</p> <p><u>Board of Review</u> Basil Ryan, Appointment of Alderwoman Evans</p>		

City of Franklin
9229 West Loomis Road
Franklin, Wisconsin 53132

RECEIVED
CITY OF FRANKLIN
2014 MAY 29 AM 8:47

VOLUNTEER FACT SHEET

Thank-you for your interest in serving on a City Board, Commission, or Committee. In order that consistent information be provided to the Common Council, you are asked to complete the following:

PERSONAL:

Name Basil Ryan
Address 5250 W. South County Line Rd, Franklin
Phone Number 414-423-5481
E-Mail aldryan@sbcglobal.net
Length of Time a Franklin Resident 40 years
Alderman or District Number District #4

AREA OF INTEREST: Please check the line next to the Board, Commission or Committee or area of greatest interest. If listing more than one, please prioritize your top three choices (3 being least priority).

- | | |
|---|--|
| <input type="checkbox"/> Architectural Review Board | <input type="checkbox"/> Civic Celebrations Commission |
| <input type="checkbox"/> Community Development Authority | <input type="checkbox"/> Finance Committee |
| <input type="checkbox"/> Environmental Commission | <input type="checkbox"/> Forward Franklin Economic Development Comm. |
| <input type="checkbox"/> Fair Commission | <input type="checkbox"/> Board of Health |
| <input type="checkbox"/> Fire and Police Commission | <input type="checkbox"/> Parks Commission |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Plan Commission |
| <input type="checkbox"/> Personnel Committee | <input checked="" type="checkbox"/> Board of Review |
| <input type="checkbox"/> Board of Public Works | <input type="checkbox"/> Board of Water Commissioners |
| <input type="checkbox"/> Technology Commission | <input type="checkbox"/> Waste Facility Siting Committee |
| <input type="checkbox"/> Board of Zoning and Building Appeals | <input type="checkbox"/> Waste Facilities Monitoring Committee |

Why are you interested in joining this (these) particular Board and/or Commission?

I enjoy helping the community whenever I can, especially in areas where I have expertise.

VOLUNTEER OR WORK EXPERIENCE

(Begin with your most recent employment and continue with all past 10 years of employment. Please attach additional paper or include resume, if available.)

Company Name: <i>Semi-retired</i>	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
Description of duties:		

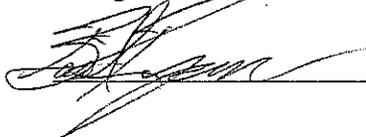
Company Name: <i>Ryan Management LLC</i>	Address: <i>10791 S. 27 Franklin WI</i>	Telephone: <i>414-761-1200</i>
Date started: 	Starting Position: <i>CEO</i>	
Date left: <i>Present</i>	Position upon leaving: <i>CEO</i>	
Description of duties: <i>Business and Property Management</i>		

Company Name:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
Description of duties:		

ADDITIONAL EXPERIENCE OR QUALIFICATIONS: List any other experience, skills, or other qualifications, including hobbies, which you believe should be considered in evaluating your qualifications for volunteering.

Former Board of Review member, former alderman, served on almost all Franklin committees

I am aware that all of the information provided and this document itself is a public record which will be released to a requestor; that I authorize such release and that I waive any right to any notice of such release and/or any right of notice to augment the information provided upon this document upon such request or release.

Signature: 

Date: *5-29-14*

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DEPARTMENT OF TRANSPORTATION
Milwaukee County

RECEIVED
MAR 19 2014
City of Franklin
Engineering Department

Brian Dranzik • Director
• Highway Commissioner

March 14, 2014

Mr. John Bennett
Director of Public Works
9229 W. Loomis Rd.
Franklin, WI 53132

Subject: Old Loomis Road (CTH K) from W. Rawson Ave. West to the dead end and
Old Loomis Road/Crystal Ridge Drive (CTH K) from S. 76th St. to W. Rawson Ave.

Dear Mr. Bennett:

Milwaukee County is reviewing jurisdictional transfers (JT) of a number of county highways that serve to implement recommendations contained within SEWRPC's Southeast Regional Transportation System Plan under the County Highway Jurisdictional Highway System Plan. The subject roadways are recommended for jurisdictional transfer as local streets.



Milwaukee County's Department of Parks and Recreational Centers (Parks) is interested in having the three segments of Old Loomis Rd. designated as part of the Oak Leaf Trail. A map showing this is attached.

There are two options for the JT of the roadway west of Rawson Avenue. Either the roadway becomes a parkway maintained by Parks or it becomes a local street maintained by the City of Franklin. In either case, the county would like the roadways to be marked as a part of the Oak Leaf Trail.

The JT for the roadway between S. 76th St. and W. Rawson Ave. is to become a parkway maintained by Parks.

In order for the JTs to take place for these two roadways, the State Department of Transportation and the City of Franklin must approve of the JTs.

Please review and provide Milwaukee County with the City of Franklin's approval of the JT for the portion west of W. Rawson Ave. as either a local street or as a county parkway and the JT east of W. Rawson Ave. as a county parkway. With the direction from the City, the county will request approval from the State Department of Transportation.

Should you have any questions, please contact me at 414 278-4952.

Sincerely,

Brian Dranzik
Attachment

MILWAUKEE COUNTY – CITY CAMPUS 2711 WEST WELLS STREET SUITE 300 MILWAUKEE, WI 53208
PHONE NUMBERS: Administration 414 -278-4929 Transportation Services 414-278-5096
FAX NUMBERS: Administration 414 -223-1899 Transportation Services 414-223-1850



Legend

-  Oak Leaf Trail Existing
-  Oak Leaf Trail Proposed
-  Proposed Jurisdictional Transfer to Parks
-  Milwaukee County Parks

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/3/14
Reports & Recommendations	SUBJECT: Release of Escrow Deposits for Riverwood Village (location S. 27th Street & W. Riverwood Drive), River Park Subdivision (location S. 51st Street & W. Preserve Way, Villa's of Franklin (location S. Susanna Ct. & W. Villa Drive), Fountains of Franklin (location 5600 W. Rawson Avenue), People's Choice /Scrub Plus Car Wash (location 7700 W. Rawson Avenue) and Berkshire Add. No. 2 Subdivision (location S. 51st Street & W. Berkshire Drive)	ITEM NO. <i>G.I.a.</i>

BACKGROUND

The Finance Department has requested that the escrow deposits as contained on the attached special deposits spreadsheet be reviewed and a description be developed for each deposit that relates to subdivision or commercial development. (See attached memo dated May 16, 2014 as prepared by the Engineering Department)

ANALYSIS

After reviewing the escrow deposits it was determined that six (6) of the deposits no longer are required to be held as the work has been completed as follows:

4. The Riverwood Village is the commercial development at S. 27th Street and W. Rawson Avenue NW corner. All the items have been completed and the funds can be released.
5. All the items in the River Park Subdivision have been completed and those funds can be released.
6. The funds were deposited by North Shore Bank for the extension at Susanna Court in the Villas of Franklin development. Susanna Court has been completed and these funds can be released.
10. The funds have been deposited to guarantee the ground cover has been planted in the Fountains of Franklin development. Ground cover has been planted and these funds can be released.
13. The funds from Scrub Plus RA LLC, People's Choice is for engineering review and inspection charges for the extension of sanitary sewer and water lateral to the new hotel. The laterals are complete and these funds can be released.
14. The funds for Berkshire No. 2 were funds remaining from the letter of credit. The development is now complete and the escrow deposit can be returned.

OPTIONS

Authorize return of the six (6) escrow deposits
or
Table

FISCAL NOTE

None

RECOMMENDATION

Motion to release the escrow deposits for the Riverwood Village Subdivision, the River Park Subdivision, Villas of Franklin development, the Fountains of Franklin development and the People's Choice/Scrub Plus development and Berkshire No. 2 Subdivision as recommended by the Engineering Department.

JMB/db/sr



MEMORANDUM: FROM ENGINEERING

DATE: May 16, 2014
TO: Files
FROM: John M. Bennett, P.E., City Engineer
SUBJECT: SPECIAL DEPOSITS

The following is a summary of the special deposit accounts as shown on the attached Exhibit "A":

1. The funds have been deposited for the future extension of sidewalk on S. 80th Street in the Stonewood Addition No. 1 Subdivision. This should be held until sidewalks are extended.
2. These funds have been held for Westminster Condos storm water basin until they are certified. Mike Budish has been working with the developer. Continue to hold funds.
3. The funds have been deposited for street tree planting in Forest View Apartments and should be held until the trees are planted.
4. The Riverwood Village is the commercial development at S. 27th Street and W. Rawson Avenue NW corner. All the items have been completed and the funds can be released.
5. All the items in the River Park Subdivision have been completed and those funds can be released.
6. The funds were deposited by North Shore Bank for the extension at Susanna Court in the Villas of Franklin development. Susanna Court has been completed and these funds can be released.
7. The funds are for street tree planting in the Cardinal Heights subdivision and should be held until the trees are planted by the City.
8. The funds are from the escrow deposit for the Villas of Franklin. A portion of sidewalk needs to be installed on W. Villa Drive and should be held until that sidewalk is completed.
9. The funds are for engineering services for the filling of the Mahr property on the east side of W. Loomis Road south of W. Rawson Avenue. These funds should be held until the basin is certified.

10. The funds have been deposited to guarantee the ground cover has been planted in the Fountains of Franklin development. Ground cover has been planted and these funds can be released.
11. The funds have been deposited for the planting of street trees in the Hidden Oaks Subdivision and should be held until the trees have been planted.
12. The funds have been deposited for the development of the Avian at Tuckaway Condominiums and should be held until that development has been completed.
13. The funds from Scrub Plus RA LLC, People's Choice is for engineering review and inspection charges for the extension of sanitary sewer and water lateral to the new hotel. The laterals are complete and these funds can be released.
14. The funds for Berkshire No. 2 were funds remaining from the letter of credit. The development is now complete and the escrow deposit can be returned.
15. The funds for Whispering Woods Subdivision are for the planting of street trees and should be held until the street trees have been planted.
16. The funds for Shadwell Subdivision should be held until the subdivision is completed. The City has included the final lift of asphalt in the local road program for 2014 and a portion of the escrow funds will be utilized for payment of the final lift of asphalt.

JMB/db/sr
Encl.

Exhibit "A"

Pavor	Description	Balance 12/31/2013	Addition	TR # Reference	Posting Date	Deduction	Check #	Posting Date	Balance 5/1/2014
** 2000.2311									
Stonewood Associates-Wellston Properties	Stonewood Addition # 1 sidewalk construction (north of Ryan Rd, west of S76th St)	2,900.00		203123	7/5/2001				2,900.00
Belinski Development	Westminster Condo Hold until they complete basins, 7,299.60 Ruekert & Mielke, Ck 145670, 12/31/12 (1,400.00) JE 011225, admin fee (70.00)	5,829.60		20820	9/26/2005				5,829.60
Forest View Condos	43 street trees @ \$300 Hold until trees are planted	12,900.00		Inv 115058	11/29/2007	Balance for street trees	(43 x \$300 each)		12,900.00
Riverwood Village LLC	Development escrow Ck 128020, 12/31/08	10,000.00		48925	9/30/2008				10,000.00
River Park Partners LLC	River Park Subdivision - Phase 1 Release	66,270.56		50989	1/15/2009				
	Ck 131415, 9/30/09 BCF Construction, punch list, 9/1/08 bill (12,466.78)	(12,466.78)							
	Ck 131415, 9/30/09 BCF Construction, basin repair, 8/5/09 bill (7,856.50)	(7,856.50)							
	Ck 131439, 9/30/09 Davidsen Engineering, pond spillway, 2/28/09 bill (1,200.00)	(1,200.00)							
	Ck 131439, 9/30/09 Davidsen Engineering, pond spillway, 5/15/09 bill (300.00)	(300.00)							
	Ck 131514, 9/30/09 Northern Exposure Landscaping, Inv. 17500, 1/16/08 (9,280.13)	(9,280.13)							
	Ck 131565, 9/30/09 Suburban Asphalt, paving, Inv 1607, 8/20/09 (25,475.33)	(25,475.33)							
	Ck 131454, 9/30/09 Payment of invoice 116436, 8/17/09 (668.75)	(668.75)							
	Ck 131826, 10/31/09 Payment of invoice 116620, 10/20/09 (5,170.43)	(5,170.43)							
	Ck 134431, 6/7/10 Icon Development, o/s w/Inv Paymt 5-final, tree escrow (4,600.00)	(4,600.00)							
	Ck 134880, 7/13/10 Treescapes Inc, 39 trees (5,655.00)	(5,655.00)							
	Ck 135269, 8/17/10 Treescapes Inc, 3 trees (1,335.00)	(1,335.00)							1,462.64
North Shore Bank/Richter Realty	Villas of Franklin/Susanna Ct asphalt Release	20,000.00		56271	9/15/2009				
	Ck 131862, 10/31/09 Black Diamond, pavement work (18,540.30)	(18,540.30)							
	Ck 131075, 8/31/09 Journal-Sentinel Inc, notice (279.01)	(279.01)							
	Ck 131437, 10/6/09 Daily Reporter, notice (241.87)	(241.87)							
	Ck 131464, 10/6/09 Graef, engineering service (661.20)	(661.20)							277.62
Cardinal Heights Subdivision	42 street trees @ \$300 each Hold until trees are planted			Inv 116660	10/27/2009				
	Purchased 3 trees-Tillman Wholesale Growers, Ck 142728, 5/1/12, Invoice 55961, 4/10/12 (900.00)	(900.00)							
	Purchased 4 trees-Johnson's Nursery, Ck 147036, 5/7/13, Invoice SI-26927, 4/23/13 (1,200.00)	(1,200.00)							
	Purchased 6 trees-Arthur Weiler Inc, Ck 147283, 5/21/13, Invoice 30424, 5/2/13 (1,800.00)	(1,800.00)				Balance for street trees	(29 x \$300 each)		8,700.00
Villas Partners LLC	Development escrow Hold for sidewalk const on W. Villa Drive	7,825.18		60747	4/30/2010				7,825.18
Crystal Enterprises-John Kasian	Storm water escrow	5,000.00		62555	7/15/2010				
	Ck 136793, 12/31/10 Bonestroo-Iverson filling review, Inv 182170, 9/22/10 (3,262.88)	(3,262.88)							1,737.12
Fountains of Franklin Subdivision	Subdivision escrow-U S Bank 8/25 wire tsfr Release	5,000.00		63546	8/31/2010				5,000.00

Payor	Description	Balance 12/31/2013	Addition	TR # Reference	Posting Date	Deduction	Check #	Posting Date	Balance 5/1/2014
Laubenstein/Sarah	Park reservation deposit		100.00	90371	1/2/2014				100.00
Larson/Doris	Park reservation deposit		100.00	90377	1/2/2014				100.00
Santana/Donna	Park reservation deposit		100.00	90385	1/2/2014				100.00
Crump/Rosemary	Park reservation deposit		100.00	90386	1/2/2014				100.00
Almers/Cory	Park reservation deposit		100.00	90392	1/3/2014				100.00
Karcher/Paul & Kristin	Park reservation deposit		100.00	90436	1/6/2014				100.00
Karcher/Paul & Kristin	Park reservation deposit		100.00	90437	1/6/2014				100.00
Hart/Thomas	Park reservation deposit		100.00	90513	1/10/2014				100.00
Scarberry/Roger	Park reservation deposit		100.00	90684	1/17/2014				100.00
Trapp/Brad	Park reservation deposit		100.00	90693	1/20/2014				100.00
Kremser/Tiffany	Park reservation deposit		100.00	90770	1/22/2014	(100.00)	151827	4/10/2014	100.00
Stanton/Bruce	Park reservation deposit		100.00	90855	1/27/2014				100.00
Ninko/Michael	Park reservation deposit		100.00	90936	1/30/2014				100.00
Gjerde/Karen	Park reservation deposit		100.00	90973	2/3/2014				100.00
Fernandes/Eric & Susan	Park reservation deposit		100.00	90982	2/3/2014	(100.00)	151823	4/10/2014	100.00
Hermani/Kent	Park reservation deposit		100.00	91038	2/4/2014				100.00
Szalacinski/Dan	Park reservation deposit		100.00	91129	2/10/2014				100.00
Whispering Woods Subdivision	45 street trees @ \$300 each		13,500.00	91138	2/11/2014	(900.00)	151983	5/1/2014	
									Balance for street trees (42 x \$300 each)
									12,600.00
Haag/Dean	Park reservation deposit		100.00	91195	2/12/2014				100.00
Franklin LaCrosse Club	Park reservation deposit		100.00	91336	2/20/2014				100.00
Tyszkal/Jeanne	Park reservation deposit		100.00	91341	2/21/2014				100.00
Payne & Dolan	WI DNR-Nonmetallic Mining application fee-PDD24-2014		175.00	91361	2/21/2014	(175.00)	151335	2/21/2014	-
Payne & Dolan	WI DNR-Nonmetallic Mining application fee-PDD23-2014		175.00	91362	2/21/2014	(175.00)	151335	2/27/2014	-
Schutten/Scott	Park reservation deposit		100.00	91370	2/21/2014				100.00
Koehler/James	Park reservation deposit		100.00	91375	2/24/2014				100.00
Mellema/Germaine	Park reservation deposit		100.00	91404	2/24/2014				100.00
Cicher/Beth	Park reservation deposit		100.00	91421	2/25/2014				100.00
Romanowski/Barbara	Park reservation deposit		100.00	91427	2/25/2014				100.00
Rosario/Rick	Park reservation deposit		100.00	91494	2/28/2014				100.00
Schroeder/Rebeka	Park reservation deposit		100.00	91496	2/28/2014				100.00
Girard/Kay	Park reservation deposit		100.00	91568	3/5/2014				100.00
Cieszynski/David & Kim	Park reservation deposit		100.00	91607	3/6/2014				100.00
Miller/Julie	Park reservation deposit		100.00	91716	3/13/2014				100.00
Boy Scouts of America/Beth Castleman	Park reservation deposit		100.00	91746	3/14/2014	(100.00)	151932	5/1/2014	100.00
Boy Scouts of America/Beth Castleman	Park reservation deposit		100.00	91746	3/14/2014				100.00
Hosi/Sean	Park reservation deposit		100.00	91751	3/14/2014				100.00
Metcalf/Carlton	Park reservation deposit		100.00	91801	3/18/2014				100.00
Hauck/Christine	Park reservation deposit		100.00	91845	3/19/2014				100.00
Franklin Ventures II LLC	Shadwell Subdivision escrow		17,000.00	91876	3/20/2014				17,000.00
Jamuz/Lee	Park reservation deposit		100.00	91952	3/24/2014				100.00
Hribar/Diane	Park reservation deposit		100.00	91963	3/25/2014				100.00
Hintz/Messe	Park reservation deposit		100.00	92055	3/31/2014				100.00
Czrewinski/Jon	Park reservation deposit		100.00	92082	4/1/2014				100.00
Nikolaj/Army	Park reservation deposit		100.00	92084	4/1/2014				100.00
Steffes/Randall	Park reservation deposit		100.00	92095	4/1/2014				100.00
Steffes/Randall	Park reservation deposit		100.00	92095	4/1/2014				100.00
Wolff/Marvin	Park reservation deposit		100.00	92115	4/1/2014				100.00
Tietjen/Jeremy	Park reservation deposit		100.00	92126	4/1/2014				100.00

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<p>APPROVAL <i>Steve Paul</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE June 3, 2014</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>April 2014 Monthly Financial Report</p>	<p>ITEM NUMBER <i>G.I.B.</i></p>

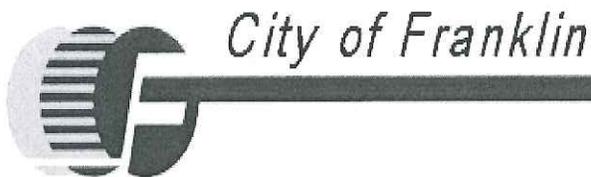
Background

The April, 2014 Monthly Financial Report is attached. Items of note are included in the cover memo from the Director of Finance & Treasurer.

The Finance Committee reviewed the April Financial report at its May 27, 2014 meeting.

COUNCIL ACTION REQUESTED

Action: Motion to Receive and File



Date: May 15, 2014
To: Mayor Olson, Common Council and Finance Committee Members
From: Paul Rotzenberg, Director of Finance & Treasurer *Paul*
Subject: April 2014 Financial Report

Enclosed are the following reports:

General Fund Summary	Debt Service Fund
TID Funds (3 & 4)	Solid Waste Collection Fund
Sanitary Sewer Fund	Capital Outlay Fund
Equipment Replacement Fund	Capital Improvement Fund
Street Improvement Fund	Development Fund
Self Insurance Fund	Post Employment Benefits Trust Fund

The new financial software is resulting in greater visibility to financial transactions and permitting the Finance Dept to record certain activity quicker. That will be reflected in the statements as certain items appear earlier in 2014 than in 2013. As the year progresses, those differences will reverse. You will also note accounts payable balances in 2014, where none existed in 2013. This is a result of the quicker recording of activity.

The presentation in each fund is meant to provide a picture of progress in relation to the budget at this time. The budget is broken down by month using a number of criteria. The normal criteria for year to date budgets are one twelfth of the annual budget for each month. Those items that are not received or paid on that basis are adjusted to reflect their normal payment cycle. (Example – shared revenues are normally received in the third and fourth quarter months so the entire budget will show in those months and nothing in earlier months.) Caution is advised at this early stage of the reporting year, when reviewing variances that are either favorable or unfavorable. As noted above, the timing of the budget may not follow current year experience or steps taken by department heads may mitigate early unfavorable experience.

GENERAL FUND - For YTD April, 2014, the General Fund had \$14,151,170 in revenue. Revenue is slightly more than the \$13,965,811 budgeted by April, 2014. Property Tax revenue of \$12,099,888 is favorable to budget. While the tax levy in 2014 was the same as 2013, payments are now a little slower than 2013. Intergovernmental revenue of \$659,216 represents Transportation Aids. Most of the other budgeted Intergovernmental revenue will arrive later in the year. On the other hand, Licenses & Permits income of \$240,939 is \$47,161 unfavorable to budget. Building permits declined in the first quarter, likely due to the colder than normal weather. Other Revenues are comparable to budget, with the exception of Interest &

Investment income. The \$155,297 of investment income is 448% of budget. Early 2014 had market interest rates decline and thus the City's US Treasury note investments increased in value. That increase in market value is driving investment income and will fluctuate as interest rates change during the year.

General Government expenditures are favorable to budget, due to timing issues. General Government is performing similar to budget, with a few exceptions. No expenditures have been made on the Classification & Compensation study thru April. Information Services has seen invoices processed faster this year compared to 2013.

Public Safety: costs of \$4,843,273 are favorable to budget by \$530,636. Reduced retiree health costs (as compared to budget and last year) are the result of an actuarial estimate change after the budget was adopted. This change has the greatest favorable impact in the Public Safety area as this group has the largest participation in that program. Non-personnel costs are greater than expected related to equipment maintenance contract invoices.

Public Works experienced an increase in costs for snow removal in January and February. Overtime costs of \$70,037 thru April are 143% of budget (33% would be expected). Total personnel costs in DPW are very close to budget; however the first quarter snow removal effort will likely require an additional appropriation by the final quarter. The City Engineer's retirement will result in an unbudgeted benefits cost that will add to budget pressures in Public Works personnel costs. Should the position remain vacant for any length of time, that savings will mitigate some of the unbudgeted benefits costs.

The first quarter snow removal operations are also exceeding budget appropriations in non-personnel costs. Fuel costs of \$68,552 (41% of budget – 33% expected) and Salt supplies are the most significant issues. Common Council authorized \$102,000 of contingency funds to replenish salt supplies (that cost will happen in the fourth quarter as the salt arrives). \$23,000 of additional contingency funds was appropriated for a major repair of a snow plow in February. These two charges have exhausted the contingency appropriation for 2014.

Overall, General Fund expenditures of \$7,179,460 are \$823,805 favorable to budget, principally on the reduced personnel costs in Public Safety. While the Retiree Health Costs will result in approximately \$220,000 in savings across all departments, the first quarter snow removal costs will likely use up most of those savings.

DEBT SERVICE and TID 3 & 4 – Tax receipts have occurred, and interfund loan payments made. Principal and interest payments were made timely. See following comments under Interfund loans.

Interfund Loans - TID 3 made a \$9.695 million loan payment March 1. \$6.195 million was funded when Northwestern Mutual Life repaid a loan in February. The TID did not have sufficient funds on hand to make the remaining payment. The Development and Self Insurance Funds each advanced \$1.1 million to fund the payment. These advances were reflected in the 2014 budget. It is anticipated that the advances will be repaid by 2018. TID 3 will pay a rate

approximately equal to a new external borrowing, while the Development and Self Insurance funds will earn returns greater than would be possible in other investments.

Total interfund loans to TID 3 are \$3,350,000. Total Interfund loans to TID 4 (no advances in 2014) are \$1,238,000. The Debt Service Fund (no advances in 2014) has Interfund loan balances of \$1,075,000.

SOLID WASTE FUND – Revenue is comparable to budget. The new financial system is advancing the recognition of refuse collection costs, by year's end this timing difference will disappear.

DEVELOPMENT FUND – 2014 Impact fees totaled \$299,762 and are favorable to budget. Investment income accounts for half of the improvement to budgeted revenues. Expenditures of \$84,489 are \$256,893 unfavorable to budget. Insufficient balances were on hand at February 28 to fund loan payments that are to be financed by Impact fees. As Impact fees are collected in the future, they will be used to reduce future Debt Service levy.

CAPITAL OUTLAY FUND – revenues are in line with budget and expenditures have occurred faster than the budget anticipated.

EQUIPMENT REPLACEMENT FUND – Revenues are in line with budget. Investment income has exceeded budget. The Fire Dept has purchased the Command Vehicle.

CAPITAL IMPROVEMENT FUND – The Police have begun the investment in the Video System carried forward from 2013. Some authorized engineering costs on the North Cape Road project have also occurred.

STREET IMPROVEMENT FUND – Revenues are in line with budget, and no expenditure activity has occurred as yet.

SEWER FUND – Revenues get recorded in March when service billings go out. MMSD costs are recorded quarterly as well. Costs are in line with expectations. Interest costs are recorded as paid, with the \$1.1 million Clean Water Fund loan payment sent April 30th.

SELF INSURANCE FUND – Reduced city premiums for 2014 are offset by increased contributions from participants. Claims costs thru April 30th have been favorable to budget. Claims are lumpy, therefore watching longer term trends is more important in this fund. Expenditures have exceeded revenues by \$42,183 thru April 30.

RETIREE HEALTH FUND – The Actuarial Required Contribution (ARC) is composed of the ARC City Medical Charges, Implicit Rate Subsidy and the Net ARC. The 2014 expected ARC was reduced \$219,097 after the Council adopted the Dec 2013 resolution on the Cadillac Tax. That reduced revenues into this fund. Claims costs thru April exceed insurance income by \$19,212. The Trust will reimburse the City should 2014 insurance results be a net expenditure. That is the purpose of the Trust, to fund retiree health costs in excess of the ARC.

City of Franklin
2014 Financial Report
General Fund Summary
For the Four months ended April 30, 2014 and 2013

Revenue	2014			2014			2013			2013		
	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Variance Favorable (Unfavorable)	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Variance Favorable (Unfavorable)	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Variance Favorable (Unfavorable)
Property Taxes	\$ 16,220,400	\$ 11,981,469	\$ 12,099,888	\$ 118,419	\$ 16,330,000	\$ 12,223,587	\$ 12,437,597	\$ 214,010	\$ 16,330,000	\$ 12,223,587	\$ 12,437,597	\$ 214,010
Other Taxes	1,770,500	417,592	398,722	(18,870)	1,802,000	401,983	543,350	141,367	1,802,000	401,983	543,350	141,367
Intergovernmental Revenue	2,549,550	593,075	659,216	66,141	2,542,600	617,750	695,309	77,559	2,542,600	617,750	695,309	77,559
Licenses & Permits	864,300	288,100	240,939	(47,161)	753,000	240,333	256,865	16,532	753,000	240,333	256,865	16,532
Law and Ordinance Violations	444,000	148,000	165,615	17,615	450,000	135,667	171,276	35,609	450,000	135,667	171,276	35,609
Public Charges for Services	1,416,400	452,633	406,070	(46,563)	1,323,500	416,438	403,080	(13,358)	1,323,500	416,438	403,080	(13,358)
Intergovernmental Charges	125,000	30,417	-	(30,417)	125,000	30,417	-	(30,417)	125,000	30,417	-	(30,417)
Investment Income	138,500	34,625	155,297	120,672	142,000	105,250	63,643	(41,607)	142,000	105,250	63,643	(41,607)
Miscellaneous Revenue	74,700	19,900	25,423	5,523	91,000	22,500	92,625	70,125	91,000	22,500	92,625	70,125
Transfer from Other Funds	400,000	-	-	-	-	-	-	-	-	-	-	-
Total Revenue	\$ 24,003,350	\$ 13,965,811	\$ 14,151,170	\$ 185,359	\$ 23,559,100	\$ 14,193,925	\$ 14,663,745	\$ 469,820	\$ 23,559,100	\$ 14,193,925	\$ 14,663,745	\$ 469,820
			101.33%				103.31%					
Expenditures												
General Government	\$ 2,936,766	\$ 1,144,504	\$ 946,345	\$ 198,159	\$ 2,928,263	\$ 1,050,585	\$ 942,060	\$ 108,525	\$ 2,928,263	\$ 1,050,585	\$ 942,060	\$ 108,525
Public Safety	16,121,722	5,373,909	4,843,273	530,636	16,178,990	5,448,877	5,029,430	419,447	16,178,990	5,448,877	5,029,430	419,447
Public Works	3,532,000	1,144,354	1,045,592	98,762	3,522,359	1,138,308	1,032,627	105,681	3,522,359	1,138,308	1,032,627	105,681
Health and Human Services	657,804	219,268	188,874	30,394	659,002	216,704	181,896	34,808	659,002	216,704	181,896	34,808
Other Culture and Recreation	173,682	42,410	28,380	14,030	171,901	42,219	18,701	23,518	171,901	42,219	18,701	23,518
Conservation and Development	471,758	157,253	105,802	51,451	408,010	149,986	101,813	48,173	408,010	149,986	101,813	48,173
Contingency	1,075,000	41,667	21,194	20,473	1,012,075	-	-	-	1,012,075	-	-	-
Anticipated underexpenditures	(360,300)	(120,100)	-	(120,100)	(350,000)	(135,667)	-	(135,667)	(350,000)	(135,667)	-	(135,667)
Transfers to Other Funds	400,000	-	-	-	85,982	-	-	-	85,982	-	-	-
Total Expenditures	\$ 25,008,432	\$ 8,003,265	\$ 7,179,460	\$ 823,805	\$ 24,616,582	\$ 7,911,012	\$ 7,306,527	\$ 604,485	\$ 24,616,582	\$ 7,911,012	\$ 7,306,527	\$ 604,485
			89.71%				92.36%					
Excess of revenue over (under) expenditures	(1,005,082)	\$ 5,962,546	6,971,710	\$ 1,009,164	(1,057,482)	\$ 6,282,913	7,357,218	\$ 1,074,305	(1,057,482)	\$ 6,282,913	7,357,218	\$ 1,074,305
Fund balance, beginning of year	7,781,566		7,781,566		6,502,134		6,502,134		6,502,134		6,502,134	
Fund balance, end of period	\$ 6,776,484		\$ 14,753,276		\$ 5,444,652		\$ 13,859,352		\$ 5,444,652		\$ 13,859,352	

City of Franklin
Debt Service Funds
Balance Sheet
April 30, 2014 and 2013

	2014 Special Assessment	2014 Debt Service	2014 Total	2013 Special Assessment	2013 Debt Service	2013 Total
Assets						
Cash and investments	\$ 395,442	\$ 140,065	\$ 535,507	\$ 536,607	\$ 127,609	\$ 664,216
Taxes receivable	(1,382)	-	(1,382)	-	-	-
Special assessment receivable	204,675	-	204,675	270,575	-	270,575
Total Assets	\$ 598,735	\$ 140,065	\$ 738,800	\$ 807,182	\$ 127,609	\$ 934,791
Liabilities and Fund Balance						
Unearned & unavailable revenue	\$ 204,675	\$ -	\$ 204,675	\$ 270,575	\$ -	\$ 270,575
Due to other funds	-	1,075,000	1,075,000	-	2,137,000	2,137,000
Unassigned fund balance	394,060	(934,935)	(540,875)	536,607	(2,009,391)	(1,472,784)
Total Liabilities and Fund Balance	\$ 598,735	\$ 140,065	\$ 738,800	\$ 807,182	\$ 127,609	\$ 934,791

Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013

	2014 Special Assessment	2014 Debt Service	2014 Year-to-Date Actual	2014 Annual Budget	Variance Favorable (Unfavorable)	2013 Special Assessment	2013 Debt Service	2013 Year-to-Date Actual	2013 Annual Budget	Variance Favorable (Unfavorable)
Revenue										
Property Taxes	\$ -	\$ 1,600,000	\$ 1,600,000	\$ 1,600,000	\$ -	\$ -	\$ 1,650,000	\$ 1,650,000	\$ 1,650,000	\$ -
Special Assessments	10	10	10	-	10	-	-	-	-	-
Investment Income	6,749	14	6,763	-	6,763	3,267	-	3,267	-	3,267
Total Revenue	6,759	1,600,014	1,606,773	1,600,000	6,773	3,267	1,650,000	1,653,267	1,650,000	3,267
Expenditures:										
Debt Service:										
Principal	-	570,000	570,000	570,000	-	-	620,000	620,000	620,000	-
Interest	-	155,515	155,515	300,200	144,685	-	167,295	167,295	322,810	155,515
Interfund Interest Expense	-	13,855	13,855	45,444	31,589	-	23,780	23,780	86,570	62,790
Total expenditures	-	739,370	739,370	915,644	176,274	-	811,075	811,075	1,029,380	218,305
Transfers in	-	304,133	304,133	377,644	(73,511)	-	238,292	238,292	377,644	(139,352)
Transfers out	(219,644)	-	(219,644)	-	219,644	-	-	-	-	-
Net change in fund balances	(212,885)	1,164,777	951,892	1,062,000	329,180	3,267	1,077,217	1,080,484	998,264	82,220
Fund balance, beginning of year	606,945	(2,099,712)	(1,492,767)	(1,492,767)	(1,492,767)	533,340	(3,086,608)	(2,553,268)	(2,553,268)	(139,352)
Fund balance, end of period	\$ 394,060	\$ (934,935)	\$ (540,875)	\$ (430,767)	\$ (106,687)	\$ 536,607	\$ (2,009,391)	\$ (1,472,784)	\$ (1,555,004)	\$ (106,687)

City of Franklin
Tax Increment Financing District #4
Balance Sheet
April 30, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 129,847	\$ 134,264
Developer receivable	1,199	-
Taxes receivable	-	-
Total Assets	\$ 131,046	\$ 134,264
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Unearned revenue	-	-
Interfund Advance from Development Fund	1,238,000	2,163,000
Total Liabilities	1,238,000	2,163,000
 Unassigned Fund Balance	 (1,106,954)	 (2,028,736)
Total Liabilities and Fund Balance	\$ 131,046	\$ 134,264

Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013

	<u>2014</u> <u>Annual</u> <u>Forecast</u>	<u>2014</u> <u>Year-to-Date</u> <u>Forecast</u>	<u>2014</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2013</u> <u>Year-to-Date</u> <u>Actual</u>
Revenue				
General property tax levy	\$ 954,700	\$ 954,700	\$ 972,728	\$ 850,703
State exempt computer aid	24,600	-	-	-
Investment income	1,600	528	877	1,752
Total revenue	980,900	955,228	973,605	852,455
 Expenditures				
Debt service/interfund interest	77,400	\$ 19,350	17,464	27,648
Administrative expenses	11,400	3,762	4,218	3,041
Capital outlays	-	-	-	-
Total expenditures	88,800	23,112	21,682	30,689
 Revenue over (under) expenditures	 892,100	 \$ 932,116	 951,923	 821,766
 Fund balance, beginning of year	 (2,058,877)		 (2,058,877)	 (2,850,502)
 Fund balance, end of period	 \$ (1,166,777)		 \$ (1,106,954)	 \$ (2,028,736)

City of Franklin
Tax Increment Financing District #3
Balance Sheet
April 30, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 101,797	\$ (17,750)
Accounts & Interest receivable	14,039	-
Notes receivable	-	6,195,000
Taxes receivable	-	-
 Total Assets	 <u>\$ 115,836</u>	 <u>\$ 6,177,250</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Unearned revenue	-	-
Line of Credit Advance from Development Fund	3,350,000	1,150,000
Total Liabilities	<u>3,350,000</u>	<u>1,150,000</u>
 Nonspendable fund balance - note receivable	 (3,231,526)	 5,033,306
Unassigned fund balance	(2,638)	(6,056)
Total Fund Balance	<u>(3,234,164)</u>	<u>5,027,250</u>
 Total Liabilities and Fund Balance	 <u>\$ 115,836</u>	 <u>\$ 6,177,250</u>

Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013

	<u>2014</u> <u>Annual</u> <u>Forecast</u>	<u>2014</u> <u>Year-to-Date</u> <u>Forecast</u>	<u>2014</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2013</u> <u>Year-to-Date</u> <u>Actual</u>
Revenue				
General property tax levy	\$ 1,572,200	\$ 1,572,200	\$ 1,572,198	\$ 1,547,835
State exempt computer aid	407,500	-	-	-
Investment income	60,776	60,776	97,783	68,203
Total revenue	<u>2,040,476</u>	<u>1,632,976</u>	<u>1,669,981</u>	<u>1,616,038</u>
 Expenditures				
Transfer to other funds	-	\$ -	-	-
Debt service principal	9,695,000	9,695,000	9,695,000	3,170,000
Debt service interest & fees	347,900	173,950	215,030	274,022
Administrative expenses	29,000	9,570	4,858	3,709
Interfund interest	-	-	22,371	3,418
Capital outlays	40,400	10,100	140,384	-
Total expenditures	<u>10,112,300</u>	<u>9,888,620</u>	<u>10,077,643</u>	<u>3,451,149</u>
	(8,071,824)	(8,255,644)	(8,407,662)	(1,835,111)
 Fund balance, beginning of year	 <u>5,173,498</u>		 <u>5,173,498</u>	 <u>6,862,361</u>
 Fund balance, end of period	 <u>\$ (2,898,326)</u>		 <u>\$ (3,234,164)</u>	 <u>\$ 5,027,250</u>

City of Franklin
Solid Waste Collection Fund
Balance Sheet
April 30, 2014 and 2013

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 1,084,208	\$ 983,520
User fees receivable	-	-
Accrued Receivables	-	-
Total Assets	<u><u>\$ 1,084,208</u></u>	<u><u>\$ 983,520</u></u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 118,477	\$ -
Accrued salaries & wages	315	317
Restricted fund balance	965,416	983,203
Total Liabilities and Fund Balance	<u><u>\$ 1,084,208</u></u>	<u><u>\$ 983,520</u></u>

Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013

<u>Revenue</u>	<u>2014</u> <u>Adopted</u> <u>Budget</u>	<u>2014</u> <u>Year-to-Date</u> <u>Budget</u>	<u>2014</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2013</u> <u>Year-to-Date</u> <u>Actual</u>
Grants	\$ 69,000	-	\$ -	\$ -
User Fees	1,157,000	1,157,000	1,168,087	1,153,776
Landfill Operations-tippage	331,800	110,589	74,646	72,311
Investment Income	-	-	6,750	2,037
Sale of Recycling Bins	-	-	-	21
Sale of Recyclables	5,000	1,667	1,813	2,184
Total Revenue	<u><u>1,562,800</u></u>	<u><u>1,269,255</u></u>	<u><u>1,251,296</u></u>	<u><u>1,230,329</u></u>
Expenditures:				
Personal Services	22,194	7,397	5,879	8,603
Refuse Collection	654,200	218,045	216,440	157,968
Recycling Collection	361,800	120,588	119,422	87,302
Leaf & Brush Pickups	53,000	17,665	-	(53)
Tippage Fees	430,600	143,519	131,726	93,492
Miscellaneous	1,960	653	720	360
Total expenditures	<u><u>1,523,754</u></u>	<u><u>507,867</u></u>	<u><u>474,187</u></u>	<u><u>347,672</u></u>
 Revenue over (under) expenditures	 39,046	 <u><u>761,388</u></u>	 777,109	 882,657
 Fund balance, beginning of year	 <u><u>188,307</u></u>		 <u><u>188,307</u></u>	 <u><u>100,546</u></u>
 Fund balance, end of period	 <u><u>\$ 227,353</u></u>		 <u><u>\$ 965,416</u></u>	 <u><u>\$ 983,203</u></u>

**City of Franklin
Development Fund
Comparative Balance Sheet
April 30, 2014 and 2013**

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 1,942,441	\$ 1,422,843
Due From Debt Service Fund	1,075,000	2,137,000
Due From TID 3	2,250,000	1,150,000
Total Assets	<u>\$ 5,267,441</u>	<u>\$ 4,709,843</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ 3,700
Non- Spendable - Advances	3,287,000	3,112,000
Assigned fund balance	1,980,441	1,594,143
Total Fund Balance	<u>5,267,441</u>	<u>4,706,143</u>
Total Liabilities and Fund Balance	<u>\$ 5,267,441</u>	<u>\$ 4,709,843</u>

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013**

	<u>2014</u>	<u>2014</u>	<u>2014</u>	<u>2013</u>
	<u>Amended</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>
	<u>Budget</u>	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenue:				
Impact Fee: Parks	\$ 194,250	\$ 64,750	\$ 63,408	\$ 114,002
Impact Fee: Southwest Sewer Serv	-	-	5,856	0
Impact Fee: Administration	5,000	1,667	1,760	2,090
Impact Fee: Water	275,000	91,667	96,530	121,948
Impact Fee: Transportation	17,000	5,667	16,334	4,330
Impact Fee: Fire Protection	31,250	10,417	15,878	11,978
Impact Fee: Law Enforcement	60,000	20,000	29,184	22,260
Impact Fee: Library	62,500	20,833	17,805	23,926
Investment Income	10,000	3,333	23,004	1,971
Interfund Interest Income	85,694	28,565	30,003	27,198
Total revenue	<u>740,694</u>	<u>246,898</u>	<u>299,762</u>	<u>329,703</u>
Expenditures:				
Other Professional Services	3,241	2,431	-	-
Transfer to Debt Service:				
Law Enforcement	204,978	153,734	-	96,000
Fire	43,013	32,260	36,622	36,191
Transportation	73,535	55,151	14,867	43,100
Library	133,650	100,238	33,000	63,000
Total Transfers to Debt Service	<u>455,176</u>	<u>341,382</u>	<u>84,489</u>	<u>238,291</u>
Transfer to Capital Improvement Fund:				
Water	-	-	-	-
Park	1,557,949	1,168,462	-	-
Total Transfers to Capital Improve	<u>1,557,949</u>	<u>1,168,462</u>	<u>-</u>	<u>-</u>
Total expenditures	<u>2,016,366</u>	<u>1,512,275</u>	<u>84,489</u>	<u>238,291</u>
Revenue over (under) expenditures	(1,275,672)	<u>(1,265,377)</u>	215,273	91,412
Fund balance, beginning of year	<u>5,052,168</u>		<u>5,052,168</u>	<u>4,614,731</u>
Fund balance, end of period	<u>\$ 3,776,496</u>		<u>\$ 5,267,441</u>	<u>\$ 4,706,143</u>

**City of Franklin
Capital Outlay Fund
Balance Sheet
April 30, 2014 and 2013**

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 754,798	\$ 550,639
Accrued Receivables	-	1,514
Total Assets	<u><u>\$ 754,798</u></u>	<u><u>\$ 552,153</u></u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 116,994	\$ -
Miscellaneous claims payable	18,278	23,746
Assigned fund balance	619,526	528,407
Total Liabilities and Fund Balance	<u><u>\$ 754,798</u></u>	<u><u>\$ 552,153</u></u>

**Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013**

<u>Revenue</u>	<u>2014 Amended Budget</u>	<u>2014 Year-to-Date Budget</u>	<u>2014 Year-to-Date Actual</u>	<u>2013 Year-to-Date Actual</u>
Property Taxes	\$ 430,000	\$ 430,000	\$ 430,000	\$ 394,000
Grants	-	-	5,200	-
Landfill Siting	67,000	22,333	33,800	30,489
Investment Income	-	-	7,470	1,305
Miscellaneous Revenue	30,000	10,000	4,342	6,336
Transfers from Fund Balance	97,296	32,432	-	-
Total Revenue	<u><u>624,296</u></u>	<u><u>494,765</u></u>	<u><u>480,812</u></u>	<u><u>432,130</u></u>
Expenditures:				
General Government	130,250	43,417	16,642	41,631
Public Safety	448,562	149,521	164,136	154,596
Public Works	84,870	28,290	17,664	41,949
Health and Human Services	510	170	-	-
Culture and Recreation	18,000	6,000	419	-
Conservation and Development	1,750	583	-	680
Contingency	55,000	18,333	-	-
Total expenditures	<u><u>738,942</u></u>	<u><u>246,314</u></u>	<u><u>198,861</u></u>	<u><u>238,856</u></u>
Revenue over (under) expenditures	(114,646)	<u><u>248,451</u></u>	281,951	193,274
Fund balance, beginning of year	<u><u>337,575</u></u>		<u><u>337,575</u></u>	<u><u>335,133</u></u>
Fund balance, end of period	<u><u>\$ 222,929</u></u>		<u><u>\$ 619,526</u></u>	<u><u>\$ 528,407</u></u>

**City of Franklin
Equipment Replacement Fund
Comparative Balance Sheet
April 30, 2014 and 2013**

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 2,276,656	\$ 2,101,708
Total Assets	\$ 2,276,656	\$ 2,101,708
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 4,036	\$ -
Assigned fund balance	2,272,620	2,101,708
Total Liabilities and Fund Balance	\$ 2,276,656	\$ 2,101,708

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013**

	<u>2014</u>	<u>2014</u>	<u>2014</u>	<u>2013</u>
	<u>Amended</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>
	<u>Budget</u>	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenue:				
Property Taxes	\$ 337,000	\$337,000	\$ 337,000	\$ 285,000
Landfill	100,000	33,333	48,500	45,733
Investment Income	-	-	27,235	4,354
Transfers From Fund Balance	10,600	3,533	-	-
Total revenue	447,600	373,867	412,735	335,087
Expenditures:				
Public Safety	60,100	20,033	56,160	-
Public Works	182,000	60,667	-	74
Total expenditures	242,100	80,700	56,160	74
Revenue over (under) expenditures	205,500	293,167	356,575	335,013
Fund balance, beginning of year	1,916,045		1,916,045	1,766,695
Fund balance, end of period	\$ 2,121,545		\$ 2,272,620	\$ 2,101,708

**City of Franklin
Capital Improvement Fund
Balance Sheet
April 30, 2014 and 2013**

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 177,884	\$ 253,662
Due from State of Wisconsin	96,720	-
Accrued receivables	847	847
Total Assets	<u>\$ 275,451</u>	<u>\$ 254,509</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 54,702	\$ -
Contracts Payable	27,786	10,211
Accrued payables	-	-
Assigned fund balance	192,963	244,298
Total Liabilities and Fund Balance	<u>\$ 275,451</u>	<u>\$ 254,509</u>

**Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013**

	<u>2014</u>	<u>2014</u>	<u>2014</u>	<u>2013</u>
	<u>Amended</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>
	<u>Budget</u>	<u>Budget</u>	<u>Totals</u>	<u>Totals</u>
Revenue:				
Block Grants	\$ 147,000	\$ 147,000	\$ -	\$ -
Landfill Siting	296,000	98,667	49,107	-
Transfers from Other Funds	2,700,000	900,000	-	-
Transfers from General Funds	200,000	66,667	-	-
Transfers from Impact Fees	1,410,140	470,047	-	-
Transfers from Connection Fees	1,000,000	333,333	-	-
Transfers from Fund Balance	137,519	45,840	-	-
Bond Proceeds	2,000,000	-	-	-
Investment Income	-	-	24	710
Total revenue	<u>7,890,659</u>	<u>2,061,553</u>	<u>49,131</u>	<u>710</u>
Expenditures:				
General Government	184,764	61,588	-	-
Public Safety	141,000	47,000	111,809	4,943
Public Works	198,300	66,100	55,161	400
Culture and Recreation	-	-	15	-
Sewer & Water	-	-	8,111	24,681
Contingency	7,138,488	2,379,496	-	-
Total expenditures	<u>7,662,552</u>	<u>2,554,184</u>	<u>175,096</u>	<u>30,024</u>
Revenue over (under) expenditures	228,107	<u>(492,631)</u>	(125,965)	(29,314)
Fund balance, beginning of year	<u>318,928</u>		<u>318,928</u>	<u>273,612</u>
Fund balance, end of period	<u>\$ 547,035</u>		<u>\$ 192,963</u>	<u>\$ 244,298</u>

**City of Franklin
Street Improvement Fund
Balance Sheet
April 30, 2014 and 2013**

<u>Assets</u>	<u>2014</u>	<u>2013</u>
Cash and investments	\$ 972,340	\$ 1,018,303
Total Assets	<u>\$ 972,340</u>	<u>\$ 1,018,303</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Assigned fund balance	972,360	1,018,303
Total Liabilities and Fund Balance	<u>\$ 972,360</u>	<u>\$ 1,018,303</u>

**Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013**

	<u>2014 Amended Budget</u>	<u>2014 Year-to-Date Totals</u>	<u>2013 Year-to-Date Totals</u>
Revenue:			
Property Taxes	\$ 681,600	\$ 681,600	\$ 610,000
Landfill Siting	133,000	64,700	60,978
Investment Income	-	7,885	1,668
Local Road Improvement Aids	78,000	-	-
Transfer from General Fund	200,000	-	-
Transfer from Fund Balance	36,900	-	-
Total revenue	<u>1,129,500</u>	<u>754,185</u>	<u>672,646</u>
Expenditures:			
Street Reconstruction Program - Current Year	960,000	388	3,667
Transfer to General Fund	200,000	-	-
Street Reconstruction Program - Prior Year	36,900	-	-
Total expenditures	<u>1,196,900</u>	<u>388</u>	<u>3,667</u>
Revenue over (under) expenditures	(67,400)	753,797	668,979
Fund balance, beginning of year	<u>218,563</u>	<u>218,563</u>	<u>349,324</u>
Fund balance, end of period	<u>\$ 151,163</u>	<u>\$ 972,360</u>	<u>\$ 1,018,303</u>

**City of Franklin
Sanitary Sewer Fund
Comparative Balance Sheet
April 30, 2014 and 2013**

	2014	2013
<u>Assets</u>		
Current assets:		
Cash and investments	\$ 2,562,857	\$ 1,700,651
Accounts receivable	184,885	180,399
Accrued receivables	-	-
Due from Franklin Water Utility	187,695	740,408
Miscellaneous receivable	25,497	26,763
Total current assets	2,960,934	2,648,221
Non current assets:		
Due from MMSD	25,771,125	24,358,913
Sanitary Sewer plant in service:		
Land	358,340	358,340
Buildings and improvements	1,605,333	1,605,333
Improvements other than buildings	53,965,043	53,255,868
Machinery and equipment	788,200	685,712
Construction in progress	74,599	71,700
	56,791,515	55,976,953
Less accumulated depreciation	(13,141,052)	(12,517,299)
Net sanitary sewer plant in service	43,650,463	43,459,654
Total Assets	\$ 72,382,522	\$ 70,466,788
<u>Liabilities and Net Assets</u>		
Current liabilities:		
Accounts payable	\$ 525,886	\$ -
Accrued liabilities	24,861	292,175
Due to Franklin Water Utility	-	-
Due to General Fund - non-interest bearing	2,010,184	211,172
Total current liabilities	2,560,931	503,347
Non current liabilities:		
Accrued compensated absences	57,727	52,775
General Obligation Notes payable - CWF	23,486,522	23,568,072
Total liabilities	26,105,180	24,124,194
Net Assets:		
Invested in capital assets, net of related debt	43,650,463	43,459,654
Sewer equipment replacement	277,230	334,508
Retained earnings	2,349,649	2,548,432
Total net assets	46,277,342	46,342,594
Total Liabilities and Net Assets	\$ 72,382,522	\$ 70,466,788

City of Franklin
Sanitary Sewer Fund
Statement of Revenue, Expenditures,
and Changes in Net Assets
For the Four months ended April 30, 2014 and 2013

	2014 Amended Budget	2014 Year-to-Date Budget	Current Year-to-Date Totals	Prior Year-to-Date Totals
Operating Revenue				
Residential	\$ 1,919,075	\$ 639,692	\$ 457,921	\$ 455,231
Commercial	869,938	289,979	105,543	192,768
Industrial	284,321	94,774	87,018	76,684
Public Authority	218,545	72,848	41,758	41,574
Penalties/Other	40,000	13,333	6,191	5,868
Multi Family	-	-	105,103	-
Total Operating Revenue	<u>3,331,879</u>	<u>1,110,626</u>	<u>803,534</u>	<u>772,125</u>
Operating Expenditures				
Salaries and benefits	\$ 462,678	\$ 154,226	\$ 146,441	\$ 159,518
Contractual services	100,365	33,455	68,570	51,220
Supplies	102,500	34,167	17,481	25,333
Facility charges	57,504	19,168	13,180	13,174
Shared meter costs	10,000	-	-	-
Sewer service - MMSD	2,048,209	682,736	488,470	668
Other operating costs	21,945	7,315	6,397	5,954
Allocated expenses	108,510	36,170	35,000	35,010
Sewer improvements	250,000	83,333	36,551	2,791
Depreciation	63,500	21,167	21,200	24,336
Total operating expenditures	<u>3,225,211</u>	<u>1,071,737</u>	<u>833,290</u>	<u>318,004</u>
Operating Income (Loss)	106,668	38,889	(29,756)	454,121
Non-Operating Revenue (Expenditures)				
Miscellaneous income	3,000	1,000	850	550
Investment income	518,860	172,953	331,468	193,003
Interest expense	(510,860)	(170,287)	(302,345)	(188,634)
RCI expenses	-	-	-	-
Total non-operating revenue (expenditures)	<u>11,000</u>	<u>3,667</u>	<u>29,973</u>	<u>4,919</u>
Income (Loss) before Capital Contributions	<u>117,668</u>	<u>42,556</u>	<u>217</u>	<u>459,040</u>
Retained Earnings- Beginning	2,660,847	2,660,847	2,660,847	2,422,962
Transfer (to) from Invested in Capital Assets	(1,430,450)	(1,430,450)	(34,185)	938
Retained Earnings- Ending	<u>1,348,065</u>	<u>1,272,953</u>	<u>2,626,879</u>	<u>2,882,940</u>
Capital Contributions	600,000	-	-	-
Depreciation - CIAC	(586,000)	(195,333)	(195,600)	(195,334)
Transfer (to) from Retained Earnings	1,430,450	476,817	34,185	(938)
Change in Net Investment in Capital Assets	1,444,450	281,483	(161,415)	(196,272)
Net Investment in Capital Assets-Beginning	<u>43,811,878</u>	<u>43,811,878</u>	<u>43,811,878</u>	<u>43,655,926</u>
Net Investment in Capital Assets-Ending	<u>45,256,328</u>	<u>44,093,361</u>	<u>43,650,463</u>	<u>43,459,654</u>
Total net assets	<u>\$ 46,604,393</u>	<u>\$ 45,366,314</u>	<u>\$ 46,277,342</u>	<u>\$ 46,342,594</u>

City of Franklin
Self Insurance Fund - Actives
Balance Sheet
April 30, 2014 and 2013

Assets	2014	2013
Cash and investments	\$ 1,156,735	\$ 1,058,765
Accounts receivable	192	558
Interfund advance receivable	2,338,000	2,163,000
Prepaid expenses	57,500	-
Total Assets	\$ 3,552,427	\$ 3,222,323
Liabilities and Net Assets		
Accounts payable	\$ 109,109	\$ -
Claims payable	379,100	352,000
Special deposits	-	-
Unrestricted net assets	3,064,218	2,870,323
Total Liabilities and Fund Balance	\$ 3,552,427	\$ 3,222,323

City of Franklin Self Insurance Fund - Actives
Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013

Revenue	2014 Forecast	2014 Year-to-Date Forecast	2014 Year-to-Date Actual	2013 Year-to-Date Actual
Medical Premiums-City	\$ 2,959,000	\$ 986,333	\$ 875,449	\$ 959,034
Medical Premiums-Employee	412,300	137,433	144,592	133,549
Other - Investment Income, etc.	92,190	30,730	36,246	28,080
Medical Revenue	<u>3,463,490</u>	<u>1,154,497</u>	<u>1,056,287</u>	<u>1,120,663</u>
Dental Premiums-City	105,630	35,210	34,842	32,337
Dental Premiums-Retirees	6,000	2,000	2,880	2,790
Dental Premiums-Employee	59,000	19,667	17,292	18,905
Dental Revenue	<u>170,630</u>	<u>56,877</u>	<u>55,014</u>	<u>54,032</u>
Total Revenue	3,634,120	1,211,373	1,111,301	1,174,695
Expenditures:				
Active Employees-Medical				
Medical claims - Current Year	2,275,200	758,400	329,804	540,562
Medical claims - Prior Year	54,300	18,100	350,799	395,622
Prescription drug claims	341,100	113,700	85,277	117,405
Refunds-Stop Loss Coverage	-	-	-	(839)
Total Claims-Actives	<u>2,670,600</u>	<u>890,200</u>	<u>765,880</u>	<u>1,052,750</u>
Medical Claim Fees	167,600	55,867	79,373	57,606
Memberships	-	-	4,525	-
Miscellaneous Wellness	21,300	7,100	3,068	-
Section 125 administration Fee	5,500	1,833	322	(3,888)
Stop Loss Premiums	487,500	162,500	239,167	163,705
Total Medical Costs-Actives	<u>3,352,500</u>	<u>1,117,500</u>	<u>1,092,335</u>	<u>1,270,173</u>
Active Employees-Dental				
Dental claims - Current Year	147,000	49,000	38,612	42,636
Dental claims - Prior Year	-	-	15,624	15,866
Dental Claim Fees	5,600	1,867	4,792	1,721
Total Dental Costs-Actives	<u>152,600</u>	<u>50,867</u>	<u>59,028</u>	<u>60,223</u>
Retirees-Dental				
Dental claims - Current Year	7,400	2,467	1,940	2,024
Dental claims - Prior Year	-	-	-	808
Dental Claim Fees	-	-	181	45
Total Dental Costs-Retirees	<u>7,400</u>	<u>2,467</u>	<u>2,121</u>	<u>2,877</u>
Total Dental Costs	<u>160,000</u>	<u>53,333</u>	<u>61,149</u>	<u>63,100</u>
Total Expenditures	3,512,500	1,170,833	1,153,484	1,333,273
Revenue over (under) expenditures	121,620	<u>\$ 40,540</u>	(42,183)	(158,578)
Net assets, beginning of year	3,106,401		3,106,401	3,028,901
Net assets, end of period	\$ 3,228,021		\$ 3,064,218	\$ 2,870,323

City of Franklin
City of Franklin Post Employment Benefits Trust
Balance Sheet
April 30, 2014 and 2013

<u>Assets</u>	2014	2013
Cash and investments	\$ (194,047)	\$ 578,133
Investments held in trust - Fixed Inc	745,197	211,445
Investments held in trust - Equities	3,530,744	2,902,990
Accounts receivable	3,106	7,804
Total Assets	<u>\$ 4,085,000</u>	<u>\$ 3,700,372</u>
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ 8,491	\$ -
Claims payable	77,182	24,500
Due from OPEB Trust	-	-
Net assets held in trust for post employment benefits	3,999,327	3,675,872
Total Liabilities and Fund Balance	<u>\$ 4,085,000</u>	<u>\$ 3,700,372</u>

City of Franklin Post Employment Benefits Trust
Statement of Revenue, Expenses and Fund Balance
For the Four months ended April 30, 2014 and 2013

Revenue	2014	2014	2014	2013
	Forecast	Year-to-Date	Year-to-Date	Year-to-Date
		Forecast	Actual	Actual
ARC Medical Charges - City	\$ 209,300	\$ 69,767	\$ 49,850	\$ 47,586
Medical Charges - Retirees	125,000	41,667	42,966	46,502
Implicit Rate Subsidy	261,080	87,027	-	-
Interest Income			(1,114)	1,212
Medical Revenue	<u>595,380</u>	<u>198,460</u>	<u>91,702</u>	<u>95,300</u>
Expenditures:				
Retirees-Medical				
Medical claims - Current Year	342,400	114,133	61,100	78,443
Medical claims - Prior Year	39,080	13,027	65,167	64,645
Prescription drug claims	160,200	53,400	22,695	56,908
Refunds-Stop Loss Coverage	-	-	(69,880)	(1,519)
Total Claims-Retirees	<u>541,680</u>	<u>180,560</u>	<u>79,082</u>	<u>198,477</u>
Medical Claim Fees	7,500	2,500	6,810	3,459
Stop Loss Premiums	46,200	15,400	25,022	15,093
Miscellaneous Expense	-	-	-	-
Total Medical Costs-Retirees	<u>595,380</u>	<u>198,460</u>	<u>110,914</u>	<u>217,029</u>
 Revenue over (under) expenditures	 -	 -	 (19,212)	 (121,729)
 Annual Required Contribution-Net	 300,420	 100,140	 133,070	 245,812
Other - Investment Income, etc.	302,100	100,700	79,285	175,635
Total Revenues	<u>602,520</u>	<u>200,840</u>	<u>212,355</u>	<u>421,447</u>
 Net Revenues (Expenditures)	 602,520	 200,840	 193,143	 299,718
 Net assets, beginning of year	 <u>3,806,184</u>		 <u>3,806,184</u>	 <u>3,376,154</u>
 Net assets, end of period	 <u>\$ 4,408,704</u>		 <u>\$ 3,999,327</u>	 <u>\$ 3,675,872</u>

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/3/14
Reports & Recommendations	SUBJECT: A resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Report for year 2013	ITEM NO. <i>G.I.C.</i>

BACKGROUND

Each year the City is required to file with the Wisconsin Department of Natural Resources the Compliance Maintenance Annual Report. Chapter NR 208, Wis. Adm. Code (PDF, exit DNR) is more commonly known as the Compliance Maintenance Annual Report (CMAR) rule for publicly and privately owned domestic wastewater treatment works. The CMAR is a self-evaluation tool that promotes the owner's awareness and responsibility for wastewater collection and treatment needs, measures the performance of a wastewater treatment works during a calendar year, and assesses the level of compliance with permit requirements. Attached please find the 2013 annual report. There are only minor changes from the 2012 report.

ANALYSIS

It is important to meet the stipulation from the DNR that this report be filed electronically on or before July 31, 2014. The report requires an approval by the governing body and such resolution is attached.

OPTIONS

Adopt resolution

or

Table

RECOMMENDATION

Motion to adopt Resolution No. 2014 - _____, a resolution approving the Wisconsin Department of Natural Resources NR-208 Compliance Maintenance Report for year 2013.

RJR/db
 Enc.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2014 - _____

A RESOLUTION APPROVING THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES
NR-208 COMPLIANCE MAINTENANCE REPORT FOR YEAR 2013

WHEREAS, it is a requirement under a Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources to file a Compliance Maintenance Annual Report (CMAR) for its wastewater collection system under Wisconsin Administrative Code NR 208;

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the Compliance Maintenance Annual Report (CMAR);

WHEREAS, it is necessary to provide recommendations or an action response plan for all individual CMAR section grades (of "C" or less) and/or an overall grade point average (<3.00);

BE IT THEREFORE RESOLVED by the Common Council of City of Franklin that the following recommendations or actions will be taken to address or correct problems/deficiencies of the wastewater treatment or collection system as identified in the Compliance Maintenance Annual Report (CMAR);

- (1) Continue to identify inflow and infiltration (I & I) to the City's sanitary sewer system and take action to eliminate all I & I detected.
- (2) Continue the City record of having no bypasses or overflow.

INTRODUCED at a special meeting of the Common Council of the City of Franklin this _____ day of _____, 2014 by Alderman _____.

Passed and adopted at a special meeting of the Common Council of the City of Franklin this _____ day of _____, 2014.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
5/28/2014

Reporting Year: 2013

Financial Management

	Questions	Points
1.	Person Providing This Financial Information Name: Thomas Michael Roberts Telephone: (414) 421-2581 E-Mail Address(optional): mroberts@franklinwi.gov	
2.	Are User Charge or other Revenues sufficient to cover O&M Expenses for your wastewater treatment plant AND/OR collection system ? <input checked="" type="radio"/> Yes (0 points) <input type="radio"/> No (40 points) If No, please explain: <div style="border: 1px solid black; height: 20px; width: 60%; margin-left: 20px;"></div>	0
3.	When was the User Charge System or other revenue source(s) last reviewed and/or revised? Year: 2013 <input checked="" type="radio"/> 0-2 years ago (0 points) <input type="radio"/> 3 or more years ago (20 points) <input type="radio"/> Not Applicable (Private Facility)	0
4.	Did you have a special account (e.g., CWFP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system? <input checked="" type="radio"/> Yes <input type="radio"/> No (40 points)	0
REPLACEMENT FUNDS(PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 5)		
5.	Equipment Replacement Funds 5.1 When was the Equipment Replacement Fund last reviewed and/or revised? Year: 2013 <input checked="" type="radio"/> 1-2 years ago (0 points) <input type="radio"/> 3 or more years ago (20 points) <input type="radio"/> Not Applicable Explain: <div style="border: 1px solid black; height: 20px; width: 60%; margin-left: 20px;"></div>	0
	5.2 What amount is in your Replacement Fund? <p style="text-align: center;">Equipment Replacement Fund Activity</p>	
	5.2.1 Ending Balance Reported on Last Year's CMAR:	\$334508

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
5/28/2014

Reporting Year: 2013

Financial Management (Continued)

	<p>5.2.2 Adjustments + \$0.00 if necessary (e.g., earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)</p> <p>5.2.3 Adjusted January 1st Beginning Balance \$334,508.00</p> <p>5.2.4 Additions to Fund (e.g., portion of User Fee, earned interest, etc.) + \$0.00</p> <p>5.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 5.2.5.1 below*) - \$0.00</p> <p>5.2.6 Ending Balance as of December 31st for CMAR Reporting Year \$334,508.00</p> <p>(All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.)</p> <p>*5.2.5.1. Indicate adjustments, equipment purchases and/or major repairs from 5.2.5 above</p> <div style="border: 1px solid black; height: 20px; width: 60%; margin-left: 20px;"></div>							
	<p>5.3 What amount <u>should</u> be in your replacement fund? \$277,230.00</p> <p>(If you had a CWFP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the HELP option button.)</p>							
	<p>5.3.1 Is the Dec. 31 Ending Balance in your Replacement Fund above (#5.2.6) equal to or greater than the amount that should be in it(#5.3)?</p> <p><input checked="" type="radio"/> Yes</p> <p><input type="radio"/> No Explain:</p> <div style="border: 1px solid black; padding: 5px; margin-left: 20px;">Due to the new DNR code tax rate for this year the account has been adjusted</div>							
6.	Future Planning							
	<p>6.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating or new construction of your treatment facility or collection system?</p> <p><input checked="" type="radio"/> Yes (If yes, please provide major project information, if not already listed below)</p> <p><input type="radio"/> No</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;">Project Description</th> <th style="width: 20%;">Estimated Cost</th> <th style="width: 20%;">Approximate Construction Year</th> </tr> </thead> <tbody> <tr> <td>The Milwaukee Metropolitan Sewerage District (MMSD) through its facilities planning, and as requested by the Cities of Franklin and Muskego are planning a project titled "Ryan Creek Interceptor". The project will enable the development and improvement of the southwest section of the City. Majority of this project was completed in 2013</td> <td style="text-align: center;">\$27000000</td> <td style="text-align: center;">2012</td> </tr> </tbody> </table>	Project Description	Estimated Cost	Approximate Construction Year	The Milwaukee Metropolitan Sewerage District (MMSD) through its facilities planning, and as requested by the Cities of Franklin and Muskego are planning a project titled "Ryan Creek Interceptor". The project will enable the development and improvement of the southwest section of the City. Majority of this project was completed in 2013	\$27000000	2012	
Project Description	Estimated Cost	Approximate Construction Year						
The Milwaukee Metropolitan Sewerage District (MMSD) through its facilities planning, and as requested by the Cities of Franklin and Muskego are planning a project titled "Ryan Creek Interceptor". The project will enable the development and improvement of the southwest section of the City. Majority of this project was completed in 2013	\$27000000	2012						
7.	Financial Management General Comments:							

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
5/28/2014

Reporting Year: 2013

Financial Management (Continued)

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Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
5/28/2014

Reporting Year: 2013

Sanitary Sewer Collection Systems

Questions	Points
1. Do you have a Capacity, Management, Operation & Maintenance (CMOM) requirement in your WPDES permit?	
<input type="radio"/> Yes <input type="radio"/> No	
2. Did you have a <u>documented</u> (written records/files, computer files, video tapes, etc.) sanitary sewer collection system operation & maintenance or CMOM program last calendar year?	0
<input type="radio"/> Yes (go to question 3) <input type="radio"/> No (30 points) (go to question 4)	
3. Check the elements listed below that are included in your Operation and Maintenance (O&M) or CMOM program.:	
<input checked="" type="checkbox"/> Goals: Describe the specific goals you have for your collection system: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Always keep moving forward and improving were necessary with previously stated goals.</div> <input checked="" type="checkbox"/> Organization: Do you have the following written organizational elements (check only those that you have): <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Ownership and governing body description <input checked="" type="checkbox"/> Organizational chart <input checked="" type="checkbox"/> Personnel and position descriptions <input checked="" type="checkbox"/> Internal communication procedures <input checked="" type="checkbox"/> Public information and education program <input checked="" type="checkbox"/> Legal Authority: Do you have the legal authority for the following (check only those that apply): <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Sewer use ordinance Last Revised MM/DD/YYYY 02/16/2004 <input checked="" type="checkbox"/> Pretreatment/Industrial control Programs <input checked="" type="checkbox"/> Fat, Oil and Grease control <input checked="" type="checkbox"/> Illicit discharges (commercial, industrial) <input checked="" type="checkbox"/> Private property clear water (sump pumps, roof or foundation drains, etc) <input checked="" type="checkbox"/> Private lateral inspections/repairs <input checked="" type="checkbox"/> Service and management agreements <input checked="" type="checkbox"/> Maintenance Activities: details in Question 4 <input checked="" type="checkbox"/> Design and Performance Provisions: How do you ensure that your sewer system is designed and constructed properly? <ul style="list-style-type: none"> <input checked="" type="checkbox"/> State plumbing code <input checked="" type="checkbox"/> DNR NR 110 standards <input checked="" type="checkbox"/> Local municipal code requirements <input checked="" type="checkbox"/> Construction, inspection and testing <input checked="" type="checkbox"/> Others: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">maintainence and inspection schuduled classes for personal in the field</div>	

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
5/28/2014

Reporting Year: 2013

Sanitary Sewer Collection Systems (Continued)

	<p><input checked="" type="checkbox"/> Overflow Emergency Response Plan: Does your emergency response capability include (check only those that you have):</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Alarm system and routine testing <input checked="" type="checkbox"/> Emergency equipment <input checked="" type="checkbox"/> Emergency procedures <input checked="" type="checkbox"/> Communications/Notifications (DNR, Internal, Public, Media etc) <p><input checked="" type="checkbox"/> Capacity Assurance: How well do you know your sewer system? Do you have the following?</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Current and up-to-date sewer map <input checked="" type="checkbox"/> Sewer system plans and specifications <input checked="" type="checkbox"/> Manhole location map <input checked="" type="checkbox"/> Lift station pump and wet well capacity information <input checked="" type="checkbox"/> Lift station O&M manuals <p>Within your sewer system have you identified the following?</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Areas with flat sewers <input checked="" type="checkbox"/> Areas with surcharging <input type="checkbox"/> Areas with bottlenecks or constrictions <input type="checkbox"/> Areas with chronic basement backups or SSO's <input checked="" type="checkbox"/> Areas with excess debris, solids or grease accumulation <input checked="" type="checkbox"/> Areas with heavy root growth <input type="checkbox"/> Areas with excessive infiltration/inflow (I/I) <input type="checkbox"/> Sewers with severe defects that affect flow capacity <input type="checkbox"/> Adequacy of capacity for new connections <input type="checkbox"/> Lift station capacity and/or pumping problems <p><input checked="" type="checkbox"/> Annual Self-Auditing of your O&M/CMOM Program to ensure above components are being implemented, evaluated, and re-prioritized as needed.</p> <p><input checked="" type="checkbox"/> Special Studies Last Year (check only if applicable):</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Infiltration/Inflow (I/I) Analysis <input type="checkbox"/> Sewer System Evaluation Survey (SSES) <input checked="" type="checkbox"/> Sewer Evaluation and Capacity Management Plan (SECAP) <input checked="" type="checkbox"/> Lift Station Evaluation Report <input type="checkbox"/> Others: 	
--	--	--

4. Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained:

Cleaning	20	% of system/year
Root Removal	.12	% of system/year
Flow Monitoring	.15	% of system/year
Smoke Testing	0	% of system/year
Sewer Line Televising	23	% of system/year
Manhole Inspections	27	% of system/year

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
5/28/2014

Reporting Year: 2013

Sanitary Sewer Collection Systems (Continued)

Lift Station O&M	50	# per L.S./year
Manhole Rehabilitation	5	% of manholes rehabed
Mainline Rehabilitation	0	% of sewer lines rehabed
Private Sewer Inspections	.1	% of system/year
Private Sewer I/I Removal	0	% of private services
Please include additional comments about your sanitary sewer collection system below:		

5. Provide the following collection system and flow information for the past year:

40.02	Total Actual Amount of Precipitation Last Year
34.76	Annual Average Precipitation (for your location)
186	Miles of Sanitary Sewer
4	Number of Lift Stations
0	Number of Lift Station Failure
0	Number of Sewer Pipe Failures
0	Number of Basement Backup Occurrences
8	Number of Complaints
0.100	Average Daily Flow in MGD
4.064	Peak Monthly Flow in MGD(if available)
0.169	Peak Hourly Flow in MGD(if available)

LIST OF SANITARY SEWER OVERFLOWS (SSO) REPORTED

Date	Location	Cause	Estimated Volume (MG)
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NONE REPORTED

**** If there were any SSO's that are not listed above, please contact the DNR and stop work on this section until corrected.**

What actions were taken, or are underway, to reduce or eliminate SSO occurrences in the future?

PERFORMANCE INDICATORS

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:
5/28/2014

Reporting Year: 2013

Sanitary Sewer Collection Systems (Continued)

	0.00	Lift Station Failures(failures/ps/year)	
	0.00	Sewer Pipe Failures(pipe failures/sewer mile/yr)	
	0.00	Sanitary Sewer Overflows (number/sewer mile/yr)	
	0.00	Basement Backups(number/sewer mile)	
	0.04	Complaints (number/sewer mile)	
	40.6	Peaking Factor Ratio (Peak Monthly:Annual Daily Average)	
	1.7	Peaking Factor Ratio(Peak Hourly:Annual daily Average)	
6.	Was infiltration/inflow(I/I) significant in your community last year?		
	<input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, please describe: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>		
7.	Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?		
	<input type="radio"/> Yes <input checked="" type="radio"/> No If Yes, please describe: <div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>		
8.	Explain any infiltration/inflow(I/I) changes this year from previous years?		
	<div style="border: 1px solid black; height: 20px; width: 100%; margin-top: 5px;"></div>		
9.	What is being done to address infiltration/inflow in your collection system?		
	<div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Grouting manholes and lining pipes where deemed necessary.</div>		

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:

Reporting Year: 2013

WPDES No.0047341

GRADING SUMMARY				
SECTION	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial Management	A	4.0	1	4
Collection Systems	A	4.0	3	12
TOTALS			4	16
GRADE POINT AVERAGE(GPA)=4.00		4.00		

Notes:

A = Voluntary Range

B = Voluntary Range

C = Recommendation Range (Response Required)

D = Action Range (Response Required)

F = Action Range (Response Required)

COMPLIANCE MAINTENANCE ANNUAL REPORT

Facility Name: Franklin City

Last Updated:

Reporting Year: 2013

Resolution or Owner's Statement

NAME OF GOVERNING BODY OR OWNER	DATE OF RESOLUTION OR ACTION TAKEN
City of Franklin	06/03/2014
RESOLUTION NUMBER	
2014-6888	
ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F. Regardless of grade, required for Collection Systems if SSO's were reported):	
Financial Management: Grade=A	
Collection Systems: Grade=A	
ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS (Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00) G.P.A. = 4.00	

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APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i> Reports & Recommendations	SUBJECT: Resolution authorizing acceptance of Storm Water Facilities Maintenance Agreement for Avian Estates, LLC located at W. Avian Court	6/3/14 ITEM NO. <i>G.I.d.</i>

BACKGROUND

The City of Franklin and MMSD require that developments which add a 0.5 acre or more impervious surface to install storm water management facilities, typically a pond(s). The DNR requires municipalities to meet quality standards as found in NR216. It is the responsibility of the development owner, or for subdivision; the homeowners association, to maintain the storm water facilities per a prescribed maintenance agreement.

OPTIONS

A maintenance agreement has been received from Avian Estates, LLC. In order to assure complete understanding of requirements, the City has developed a Storm Water Facilities Maintenance Agreement form (see attached).

OPTIONS

It is important to adopt and execute the development agreement to provide the proper ongoing maintenance of storm water facilities.

FISCAL NOTE

All costs associated with storm water facility maintenance are to be paid by the developer, owner or homeowners association per agreement.

RECOMMENDATION

Motion to adopt Resolution No. 2013-_____, a resolution authorizing the Mayor and City Clerk to sign the Storm Water Facilities Maintenance Agreement for Avian Estates, LLC.

MB/sg
Encl.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2014- _____

A RESOLUTION ACCEPTING A STORM WATER MAINTENANCE
AGREEMENT FROM AVIAN ESTATES, LLC

WHEREAS, a maintenance agreement is required to maintain and operate storm water facilities,

WHEREAS, Avian Estates, LLC has executed and submitted to the City of Franklin a Storm Water Facilities Maintenance Agreement for Avian Estates located at W. Avian Court,

WHEREAS, it would be in the best interests of the City to accept this agreement.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that the Mayor and City Clerk are hereby authorized to accept this agreement and therefore the Mayor and City Clerk are hereby authorized and directed to execute and accept this agreement on behalf of the City.

INTRODUCED at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2014.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____

NOES _____

ABSENT _____

MB/sg

STORM WATER FACILITIES MAINTENANCE AGREEMENT

This AGREEMENT, made and entered into this 2nd day of April, 2014, by and between Avian Estates LLC, hereinafter called the "Owner", the Avian at Tuckaway Condominium Association, Inc., hereinafter called the "Association", and the City of Franklin, hereinafter called the "City".

WITNESSETH:

WHEREAS, the Owner is the owner and holder of record Title to certain real property described on Exhibit "A" which is attached hereto and incorporated herein (the "Property"); and

WHEREAS, the Owner is developing the Property; and

WHEREAS, the Subdivision known as Avian Estates, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for on-site Storm Water Facilities within the confines of the Property; and

WHEREAS, the City and the Owner, its successors and assigns ("successors and assigns" meaning to include any homeowners association and all owners of the property or any portion thereof), including any homeowners association, agree that the health, safety, and welfare of the residents of the City of Franklin, require that on-site Storm Water Facilities as defined in Section 5-8.0600 Unified Development Ordinance of the City of Franklin be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site storm water management practices as shown on the Plan be constructed and adequately maintained by the Owner, its successors and assigns; and

WHEREAS, storm water runoff from the easterly two-thirds of the Property generally drains to the east and south to a detention pond located on the Property and is then released into a storm water retention pond which is located in the southwest corner of the lands owned by the Association ("Shared Pond") as shown on Exhibit B attached hereto. The Owner and its successors and assigns and the Association desire to set forth their agreement as to the Owners obligation to reimburse the Association for 50% of inspection, maintenance, repair and replacement costs and expenses related to the Shared Pond.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site storm water facilities shall be constructed by Owner in accordance with the plans and specifications which are identified as part of the storm water system plan and erosion control plan approved by the City Engineer and submitted as part of the as-built drawings approved by the City Engineer.
2. The Owner, its successors and assigns, shall comply with the ordinances and regulations which require that the Storm Water Facilities shall be regularly inspected and maintained as often as conditions may require, but in any event, at least once each year. The Standard Operation and Maintenance Report attached to this agreement as Exhibit "C" and by this reference made a part hereof shall be used for the purpose of the regular inspections of the Storm Water Facilities. The Owners, its

successors and assigns, shall keep the Operation and Maintenance Reports from past inspections, as well as a log of maintenance activity indicating the date and type of maintenance completed of the Storm Water Facilities. The purpose of the inspections is to assure safe and proper functioning of the facilities. The inspections shall cover all storm water facilities, including but not limited to berms, outlet structures, pond areas and access roads. Deficiencies shall be noted in the Operation and Maintenance Report. The Reports and maintenance log shall be made available to the City for review.

3. The Owner, its successors and assigns, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the Storm Water Facilities, whenever the City deems necessary. The purpose of inspection is to provide periodic review by City staff, to investigate reported deficiencies and/or to respond to citizen complaints. The City shall provide the Owner, its successors and assigns, copies of the inspection findings and a directive to commence with the repairs if necessary. Corrective actions shall be taken within a reasonable time frame as established by the City Engineer.
4. The Owner, its successors and assigns, shall adequately maintain the Storm Water Facilities, including but not limited to all pipes and channels built to convey storm water to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the storm water. Adequate maintenance is herein defined as keeping the Storm Water Facilities in good working condition so that these storm water facilities are performing their design functions and are in accordance with the Stormwater Basin Maintenance Standards as detailed in Section 15.8.0600 of the City of Franklin Unified Development Ordinance, and Section 13.12 (2) of the Milwaukee Metropolitan Sewerage District (MMSD) rules, and by this reference made a part hereof.
5. If the Owner, its successors and assigns fails to maintain the Storm Water Facilities in good working condition acceptable to the City and does not perform the required corrective actions in a time as established by the City Engineer in written notice, the City may:
 - a) Issue a citation to the Owner, its successors and assigns. Such failure constitutes a violation of Section 15.8.0600 of the Unified Development Ordinance of the City of Franklin. The penalty for such violation of Section 15.8.0600 shall be not less than \$100 nor more than \$2500 for each offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense, and
 - b) Perform the corrective actions identified in the inspection report and assess the Owner, its successors and assigns, for the cost of such work. The cost of such work shall be specially charged against the Property pursuant to Wisconsin Statutes Section 66.0627. If the facilities are located on an outlot owned collectively by a homeowners association, the City may specially charge each member of the homeowners association according to the ownership interest in the facilities located on the property. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Owner outside of the easement for the Storm Water Facilities. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said storm water management practices and in no event shall this Agreement be construed to impose any such obligation on the City.
6. In the event the City, pursuant to this Agreement and applicable easements performs work of an emergency nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Owner, its successors and assigns, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder.

7. This Agreement imposes no liability of any kind whatsoever on the City and the Owner agrees to indemnify and hold the City harmless from any liability in the event the Storm Water Facilities fail to operate properly.
8. This Agreement shall be attached as an exhibit to any document which creates a homeowners association that is responsible for maintenance of the Storm Water Facilities and shall be recorded at the Milwaukee County Register of Deeds, and shall constitute a covenant running with the land, and shall be binding on the Owner, its administrators, executors, assigns, heirs and any other successors in interest, including any homeowners association and all owners of the property or any portion thereof. The owner shall provide the City with a copy of any document which creates a homeowners association that is responsible for the Storm Water Facilities.
9. The owner, its successors and assigns, is prohibited from building structures, installing play equipment, installing plants, changing grades or performing any function that inhibits care and maintenance of any Storm Water Facilities.
10. The owner, its successor and assigns shall maintain, at all times, an individual(s) who will serve as a contact person(s).
11. The Association agrees to perform and pay the cost of all inspections, maintenance and repair of the Shared Pond including aerator maintenance, repair and electric, excluding ordinary lawn mowing of pond banks ("Costs and Expenses). On an annual basis, the Owner, its successors or assigns, shall reimburse the Association for 50% of the Costs and Expenses beginning in 2015. Association shall provide Owner with a budget for the anticipated Costs and Expenses by January 15th for the upcoming year. Owner and its successors and assigns agree to promptly pay its 50% share of the Costs and Expenses incurred by the Association within 30 days of billing for the expenses. If Owner and its successors and assigns do not promptly pay its share, the unpaid balance shall accrue interest at the rate of 18% per year and the Owner, its successors and assigns shall pay all reasonable attorney fees and other collection costs incurred by the Association. In addition, the Association may file maintenance liens against the lots in the Avian Estates Subdivision for any unpaid expenses pursuant to Section 779.70 of the Wisconsin Statutes.
12. This Agreement shall be recorded with the Milwaukee County Register of Deeds.

SIGNATURES ARE LOCATED ON THE FOLLOWING PAGE:

IN WITNESS WHEREOF, the City and Owner have set forth their hands and seals, effective the date first above written.

SEALED IN PRESENCE OF:

Avian Estates LLC
By: MLG Private Fund LLC
By: MLG PF Manager LLC

By: [Signature]
Timothy J. Wallen, President

STATE OF WISCONSIN)ss.
Waukesha COUNTY)

Personally came before me this 4th day of April, 2014, the above named Timothy J. Wallen, President MLG Private Fund, sole member of Avian Estates LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same in the capacity indicated.



[Signature]
Notary Public, Waukesha County, WI
My commission expires: 11/8/2015

CITY OF FRANKLIN

By: _____ (Seal)
Name:
Title: Mayor

COUNTERSIGNED:

By: _____ (Seal)
Name: Sandra L. Wesolowski
Title: City Clerk

STATE OF WISCONSIN)ss.
MILWAUKEE COUNTY)

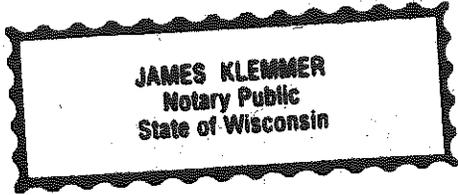
Personally came before me this ____ day of _____, 20__, the above named ~~Thomas M. Taylor~~, Mayor and Sandra L. Wesolowski, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they had executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to the Resolution File No. _____, adopted by its Common Council on this ____ day of _____, 20__.

Notary Public, Milwaukee County, WI
My commission expires: _____

This instrument was drafted by John M. Bennett,
City Engineer for the City of Franklin

Form approved: Jesse A. Wesolowski, City Attorney

Avian at Tuckaway Condominium Association, Inc.



By: Richard J. Hryniewski

By: _____

STATE OF WISCONSIN)ss.
Milwaukee COUNTY)

Personally came before me this 14th day of April, 2014, the above named Richard Hryniewski and _____ who being by me duly sworn, did say that they are respectively the president and _____ of the Avian at Tuckaway Condominium Association, Inc. and acknowledged that they executed the foregoing agreement as such officers as the deed of said Association as the voluntary act and deed of said Association.

James Klemmer
Notary Public, Milwaukee County, Wisconsin
My commission expires: 01/16/2017

Exhibit A

(Description of the Property)

BEING A PART OF LANDS IN THE NORTHWEST ¼ AND THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 7413, (EXCEPT THE EASTERLY PORTION THEREOF DESCRIBED AS PART OF PHASE I AREA OF AVIAN AT TUCKWAY CONDOMINIUM, DOCUMENT NO. 08812915), AND MORE CLEARLY DESCRIBED AS:

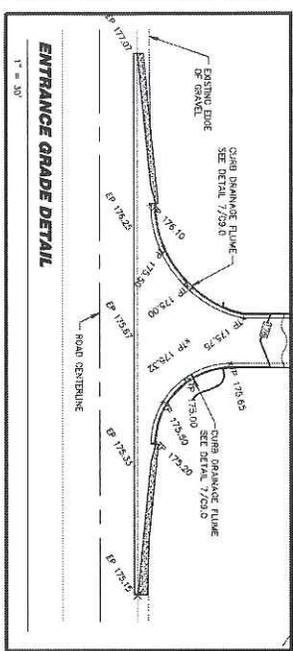
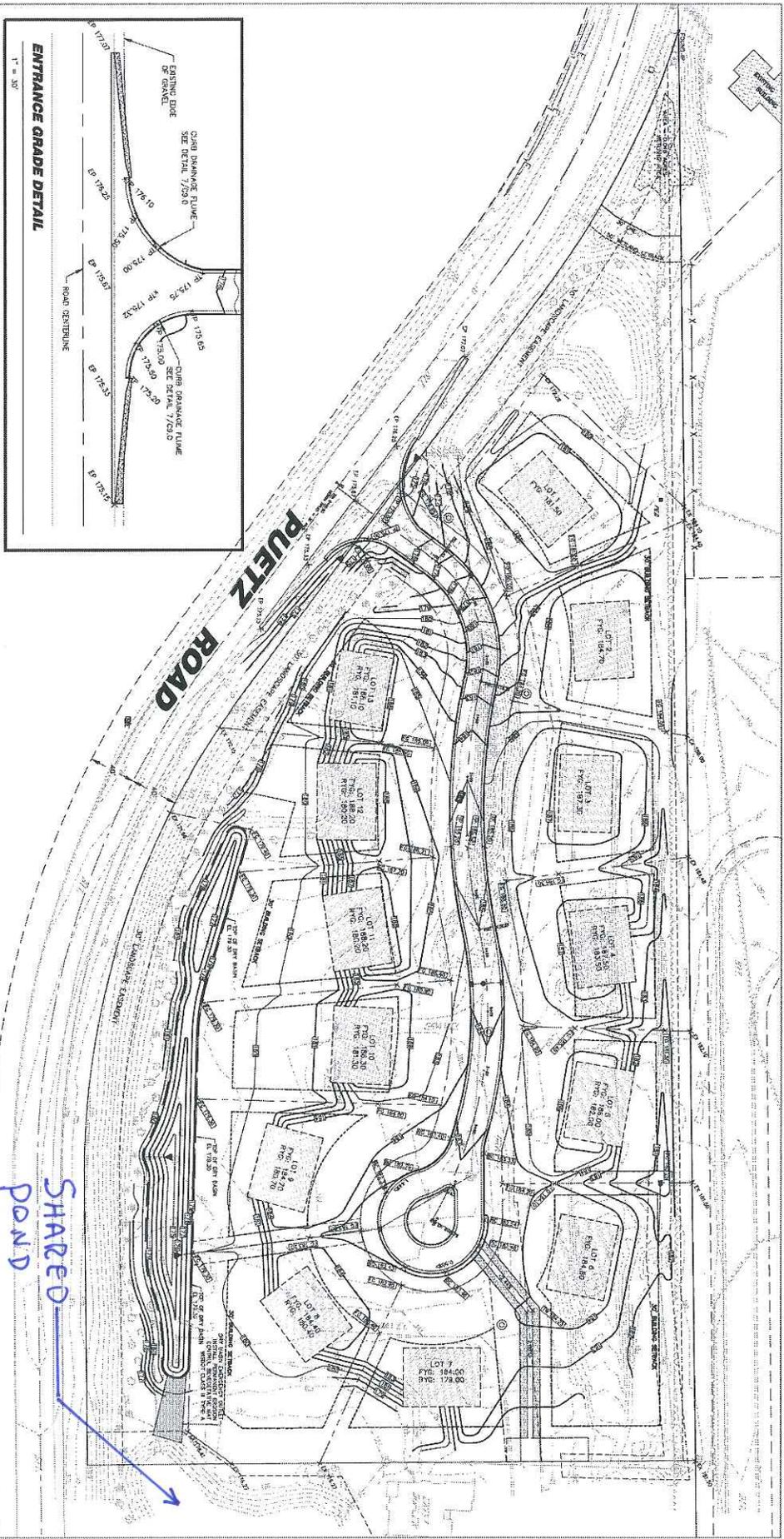
COMMENCING AT THE NORTHWEST CORNER OF SAID ¼ SECTION; THENCE N 89-19'05"E ALONG THE NORTH LINE OF NORTHWEST ¼ OF SAID SECTION, A DISTANCE OF 358.43 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF W. PUETZ ROAD; THENCE CONTINUING N 89-19'05" E ALONG THE NORTH LINE OF SAID ¼ SECTION, A DISTANCE OF 1211.58 FEET TO A POINT ON THE WEST LINE OF PHASE I AREA OF SAID AVIAN AT TUCKAWAY CONDOMINIUM; THENCE S 00-24'36" E ALONG SAID WEST LINE OF PHASE I AREA, A DISTANCE OF 517.15 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF W. PUETZ ROAD; THENCE S 89-19'05" W ALONG THE NORTH LINE OF SAID ROAD, A DISTANCE OF 238.43 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG AN ARC OF A CURVE AND THE NORTH RIGHT-OF-WAY LINE OF SAID ROAD, WHOSE CENTER LIES TO THE NORTH, WHOSE RADIUS IS 681.78 FEET, WHOSE CHORD BEARS N 71-51'26" W 439.99 FEET, A DISTANCE OF 448.00 FEET TO A POINT OF TANGENCY; THENCE N 53-01'57" W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ROAD, A DISTANCE OF 419.98 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG AN ARC OF CURVE AND THE NORTH RIGHT-OF-WAY LINE OF SAID ROAD, WHOSE CENTER LIES TO THE SOUTH, WHOSE RADIUS IS 761.78 FEET, WHOSE CHORD BEARS N 62-31'57" W 251.46 FEET, A DISTANCE OF 252.62 FEET TO THE POINT OF BEGINNING, CONTAINING 9.5 ACRES MORE OR LESS.

Exhibit B

Shared Pond

(Attached)

EXHIBIT "B"



- ### GRADING NOTES
- CONTRACTOR SHALL FIELD VERIFY THE FOLLOWING:
 - EXISTENCE OF THE BENCHMARKS SHOWN TO CORRELATE WITH THE LOCATION AND ELEVATION OF THE
 - EXISTING GRADE AND ELEVATION OF THE
 - EXISTING UTILITY LOCATIONS
 - EXISTING CONCRETE FOUNDATION WALLS AND FOUNDATION
 - EXISTING CONCRETE FOUNDATION WALLS AND FOUNDATION
 - EXISTING CONCRETE FOUNDATION WALLS AND FOUNDATION
 - PROPERTY CORNERS SHALL BE CAREFULLY PROTECTED. BENCHMARKS SHOWN ON THE CONSTRUCTION DRAWINGS SHALL BE PROTECTED AND MAINTAINED THROUGHOUT THE PROJECT. BENCHMARKS SHALL BE RECHECKED AND RECORDED AT REGULAR INTERVALS. BENCHMARKS SHALL BE RECORDED AT REGULAR INTERVALS. BENCHMARKS SHALL BE RECORDED AT REGULAR INTERVALS.
 - GRADES AND DRAINAGE SHALL BE GRADUALLY SLOPED TO PROTECT EXISTING AND ADJACENT PROPERTIES. GRADES SHALL BE SLOPED TO PROTECT EXISTING AND ADJACENT PROPERTIES. GRADES SHALL BE SLOPED TO PROTECT EXISTING AND ADJACENT PROPERTIES.
 - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF FRANKLIN, WISCONSIN. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF FRANKLIN, WISCONSIN. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF FRANKLIN, WISCONSIN.
 - ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF FRANKLIN, WISCONSIN. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF FRANKLIN, WISCONSIN. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF FRANKLIN, WISCONSIN.
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LEGEND

- Existing Grade Elevation
- Top of Finished Elevation
- Top of Sub Elevation
- Proposed Elevation
- Proposed Catch Basin or Inlet
- Proposed Manhole
- Proposed Storm Sewer
- Proposed Storm Sewer
- Structural Marker

Scale in Feet: 0, 20, 40, 80

811
Know what's below. Call before you dig.

CITY OF FRANKLIN
ENGINEERING DEPARTMENT

GRADING AND DRAINAGE PLAN
AVIAN ESTATES
FRANKLIN, WISCONSIN

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]

PROJECT NO. 050
SHEET NO. 10
DATE: 10-10-2013
SCALE: 1" = 40'

**OPERATION AND MAINTENANCE INSPECTION REPORT
STORMWATER MANAGEMENT PONDS**

City of Franklin

Name of Development _____

Responsible Party Name _____ Address _____

Telephone No. _____ Fax No. _____ E-mail _____

Inspector Name _____ Address _____

Telephone No. _____ Fax No. _____ E-mail _____

Basin Location General Address _____ Section No. _____

Normal Pool Yes No

Items inspected (Pond components)	Checked (Yes/No/NA)	Maintenance Needed (Yes/No/NA)	Remarks
1. Embankment and Emergency spillway			
1. Vegetation and ground cover adequate			
2. Embankment erosion			
3. Animal burrows			
4. Unauthorized plantings			
5. Cracking, bulging, or sliding of darn			
1. Upstream face			
2. Downstream face			
3. At or beyond toe			
Upstream			
Downstream			
4. Emergency spillway			
6. Pond, toe & chimney drains functioning			
7. Seeps/leaks on downstream face			
8. Slope protection or riprap failures			
9. Emergency spillway clear of debris			
10. Other (specify)			
2. Riser and principal spillway			
Type: Reinforced concrete _____			
Corrugated metal pipe _____			
PVC/HDPE _____			
Masonry _____			
1. Low flow orifice obstructed			
2. Primary outlet structure			
1. Debris removal necessary			
2. Corrosion control			
3. Trash rack maintenance			
1. Debris removal necessary			
2. Corrosion control			
3. Pond bottom			
Sediment or debris buildup in low flow			
Pilot channel or bottom (estimate depth)			

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE June 3, 2014
REPORTS AND RECOMMENDATIONS	An Ordinance to Amend the Municipal Code as it Pertains to Deferral of Payment of Special Assessments	ITEM NUMBER G.2.

The above subject matter was before the Common Council at its regular meeting on May 20, 2014. The Council put the matter over to this meeting for further review by the City Attorney and possible amendment to the draft amendment ordinance. The bottom line summary of the City Attorney's further review is set forth below. Attached is a highlighted redraft of the draft ordinance previously before the Council. The redraft ordinance is recommended by the City Engineer. The purpose, as with the initial draft, is to provide further discretion to the Common Council in considering and authorizing special assessment deferrals for relatively unique public projects.

A municipality must satisfy two basic requirements to levy a special assessment under the police power.¹¹ First, under §66.0703(1), Stats., the property must in fact benefit from the improvement. Secondly, the amount of the assessment must be made on a "reasonable basis."¹²

Benefits under police power assessments need not be precisely determined although they must exist and must be special as opposed to benefits conferred on an entire community.¹³ *** Existence of special benefits to each property assessed must always be the guiding principle.

7. *In the Matter of North Port Washington Road (Berkvan v. City of Glendale)*, 79 Wis.2d 279, 255 N.W.2d 521 (1977).

11. *CIT Group v. Village of Germantown*, 163 Wis.2d 426, 471 N.W. 2d 610 (Ct. App. 1991).

12. *Id.*

13. *In the Matter of North Port Washington Road*, supra, footnote 7.

League of Wisconsin Municipalities, *Special Assessments in Wisconsin, A League Manual*, p. 2. (2001 Revised).

2. The benefit supporting a special assessment must be unique and special, not general. To qualify as an assessable project under §66.0703, Stats., the improvement must confer an "uncommon advantage", as distinguished from a general benefit.²³ Only public improvements which confer benefits on properties in a "limited and determinable area" may be specially assessed.²⁴ General benefit to an entire community will not support a special assessment. Charging only a limited number of properties for an improvement which benefits an entire municipality constitutes taking of private property for public use without the owner's consent or just compensation to the owner in violation of state and federal constitutions.²⁵

However, an improvement may confer benefits across the entire community and, at the same time, confer a greater benefit on a specific portion of the community. For example, a water tower erected to improve and expand service to an entire municipality provides general benefits to properties already served and special benefits to properties which previously lacked water service. Consequently, even though those properties with no previous water service may not abut the water tower, they obviously are specially benefitted by the water tower.²⁶

3. Special benefit reasonably certain to be realized in the future will support an assessment. Benefit may be immediate or in the future.²⁷

23. *Matter of Goodger v. City of Delavan*, 134 Wis.2d 348, 396 N.W.2d 778 (Ct. App. 1986).

24. See §66.0703(1)(a), Stats.

25. Art. 1, §1 and Art. 11, §2, Wis.Const., and 5th and 14th Amendments, U.S.Const.

26. *Duncan Development Corp. v. Crestview Sanitary District*, 22 Wis.2d 258, 125 N.W.2d 617 (1964).

27. *Heinemann Creameries, Inc. v. Village of Kewaskum*, 275 Wis. 636, 82 N.W.2d 902 (1957).

League of Wisconsin Municipalities, *Special Assessments in Wisconsin, A League Manual*, p. 4. (2001 Revised).

COUNCIL ACTION REQUESTED

A motion to adopt An Ordinance to Amend the Municipal Code as it Pertains to Deferral of Payment of Special Assessments.

ORDINANCE NO. 2014-____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE AS IT
PERTAINS TO DEFERMENT OF PAYMENT OF SPECIAL
ASSESSMENTS

WHEREAS, §207.15. of the Municipal provides the authority for and method of the levy of special assessments in the City pursuant to Wis. Stat. § 66.0701, and §207.15.K. providing for the deferment of payment of special assessments under the categorical circumstances presented thereunder; and

WHEREAS, the City Engineer having reviewed the subject ordinance upon consideration of potential projects having other unique circumstances for which a deferral of special assessments may be appropriate and having recommended to the Common Council the amendment of §207.15.K. to provide further discretion to the Common Council in providing for the deferment of special assessments for relatively unique public projects not addressed in the existing Code provisions for deferments; and

WHEREAS, the Common Council having reviewed such recommendation and having determined same to be reasonable and in furtherance of the health, safety and welfare of the City.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: §207.15.K.(2)(g) of the Municipal Code of the City of Franklin, Wisconsin, is hereby created to read as follows:
“A deferment of the principal and interest of a special assessment until such time as the subject benefitted property is sold, transferred or otherwise conveyed to a person or entity other than an owner of the property on the date of the adoption of the Final Resolution levying the special assessment, or the earlier connection of the property to the subject public facility (sewer and/or water), or such earlier specified date or occurrence as may be specified by the Common Council, where the Common Council determines it appropriate and reasonable under the circumstances of a relatively unique public project undertaken for a primary purpose of general benefit to the entire City or a large portion thereof (approximating at least 25% or more of the City area) other than the specific provision of the public facility improvement(s) for the special benefit of the subject property, though which special benefit is nonetheless a resultant thereof, provided that the limited and determinable area to be specially assessed for the project is very small

(no more than five parcels of record as of the date of the adoption of the Preliminary Resolution, or consisting of no more than such area of land as may be divided into no more than five parcels in the future under existing zoning and land division ordinances on the date of adoption of the Final Resolution; neither of the foregoing categories being exclusive) in relation to the area of general benefit to be served."

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of

ORDINANCE NO. 2014-____

Page 2

competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/3/2014
Reports & Recommendations	SUBJECT: Final resolution directing installation of, payment and levy of special assessment for installation of water main in St. Martins Road from S. Chapel Hill Drive to a point 440 ft. southeast of S. Chapel Hill Drive.	ITEM NO. <i>6.3.</i>

The above subject matter was before the Common Council on March 4, 2014. The Council put the matter over until the Aldermen of the affected Districts brought it back before the Common Council. Those Aldermen, Ald. S. Mayer and Ald. D. Mayer, have decided to do so. At a meeting with the subject property owners and Ald. S. Mayer on May 28, 2014, staff discovered that a property abutting the installation of the subject water transmission main was not included in the specially benefitted properties to be assessed (a larger parcel, though with only a short width "driveway" as appearing on some maps abutting the proposed installation). As such, a waiver and consent to the special assessment procedures with regard to the project proceedings which have already occurred would be required from the new property to be included owner(s), for the Council to act on this item. As of this writing, such waiver and consent has not been received. This subject matter has been placed upon the agenda for the event of such receipt occurring prior to the meeting, which would therefore allow the Council to proceed to action. If such waiver and consent is not received, staff recommends the Common Council take no action on this item and proceed to the next item, that being the restart of the special assessment process to include the aforesaid 'new' property. A copy of the prior Action Sheet and Final Resolution is attached, in the event the waiver and consent is received.

COUNCIL ACTION REQUESTED

Motion to adopt Resolution No. 2014- _____ directing installation of, payment and levy of special assessment for installation of water main in W. St. Martins Road from S. Chapel Hill Drive to a point 440 ft. southeast of S. Chapel Hill Drive.

RJR/db

<p>APPROVAL <i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE 3/04/14</p>
<p>Reports and Recommendations</p>	<p>Final Resolution directing installation of, payment and levy of special assessment for installation of water main in W. St. Martins Road from S. Chapel Hill Drive to a point 440 ft. southeast of S. Chapel Hill Drive</p>	<p>ITEM NUMBER <i>G. 4.</i></p>

A public hearing was held on 3/4/14 regarding the proposed special assessment for installation of, payment and levy of special assessment for installation of water main in W. St. Martins Road from S. Chapel Hill Drive to a point 440 ft. southeast of S. Chapel Hill Drive.

The Council may now adopt the resolution levying special assessments to pay for the project.

COUNCIL ACTION REQUESTED

Motion to adopt Resolution No. 2014-_____ directing installation of, payment and levy of special assessment for installation of water main in W. St. Martins Road from S. Chapel Hill Drive to a point 440 ft. southeast of S. Chapel Hill Drive.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2014- _____

A FINAL RESOLUTION DIRECTING INSTALLATION OF, PAYMENT AND LEVY
OF SPECIAL ASSESSMENT FOR INSTALLATION OF WATER MAIN IN
W. ST. MARTIN'S ROAD FROM S. CHAPEL HILL DRIVE TO
A POINT 440 FEET SOUTHEAST OF S. CHAPEL HILL DRIVE

WHEREAS, the installation of public improvements in the location stated below is in the interest of the public and will specially benefit the abutting property owners; and,

WHEREAS, the Franklin Common Council declared its intent to exercise its police powers to levy special assessments for the installation of water main in W. St. Martins Road from S. Chapel Hill Drive to a point 440 ft. southeast of S. Chapel Hill Drive by Resolution No. 2014-6963 on February 4, 2014; and

WHEREAS, the Office of the City Engineer caused a report to be made consisting of plans and specifications, an estimate of the entire cost of the project and assessment to each affected parcel of property and filed its report in the Office of the City Clerk for public inspection; and;

WHEREAS, the Office of the City Clerk gave notice to affected persons by mail on February 10, 2014, and to all persons by publication in the official newspaper on February 13, 2014 and February 20, 2014; and

WHEREAS, the Franklin Common Council held a public hearing on March 4, 2014 on the water main at which time the Council heard all persons who wished to speak.

WHEREAS, the estimated costs as part of the Engineer's Assessment Report were revised on 2/17/2014 to reflect bids received; and

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Franklin that the work and improvements for installing water main are directed to be carried out; and

BE IT FURTHER RESOLVED that the City Engineer's Report on this matter, including plans and specifications is approved and the work and improvements be carried out in accordance with the Report;

BE IT FURTHER RESOLVED that payment for the improvements be made by assessing the cost to the abutting property as indicated in the Report of the City Engineer; that assessments may be paid in full in one (1) payment or in twelve (12) annual installments together with interest at the rate of 6% per annum to the City Treasurer; that the special assessments which are not paid when due shall be placed upon the tax roll as a delinquent tax; and

BE IT FURTHER RESOLVED that the City Clerk is directed to publish this resolution as a Class I notice under Chapter 985 of the Wisconsin Statutes and to mail a copy of this resolution to every property owner whose name appears on the assessment roll and whose post office address is known or can be ascertained with reasonable diligence.

BE IT FURTHER RESOLVED that any person who has an interest in property affected by this action who feels aggrieved thereby may, within 40 days after the date of adoption of this resolution, appeal to the Circuit Court for Milwaukee County as set forth in Section 66.0701 Wisconsin Statutes and 207-15 of the Municipal Code.

INTRODUCED at a regular meeting of the Common Council of the City of Franklin this twentieth day of May, 2014, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2014.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____

NOES _____

ABSENT _____

RJR/db

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i> Reports & Recommendations	SUBJECT: A preliminary resolution declaring intent to exercise special assessment powers granted by Section 207-15 of the Municipal Code and Section 66.0701 of the state statutes for installation of a water main in W. St. Martin's Road from S. Chapel Hill Drive to a point 440 feet southeast of S. Chapel Hill Drive and setting the public hearing date for 7/15/2014 at 6:30 p.m.	6/3/14 ITEM NO. <i>G.H.</i>

BACKGROUND

Pursuant to the original preliminary resolution declaring intent to exercise special assessment for the extension of water main on W. St. Martins Road southeast of S. Chapel Hill Drive, please be advised that an error was made in the engineering report as a 7+ acres at the end of a 50 foot wide (65 feet at the lot line) driveway of land was missed; therefore, it is recommended that this error be corrected and a new hearing be held on July 15, 2014.

ANALYSIS

The correction of the error will not change the assessment rates for the three property owners that were notified for the past hearing, but with the added property, will reduce the cost to the City.

The City has received an extension from the contractor through July 20, 2014 such that the bids will be held open for that period of time.

OPTIONS

Adopt revised preliminary resolution.

or

Table

FISCAL NOTE

With the additional parcel, the City's cost will be slightly reduced.

RECOMMENDATION

Motion to adopt Resolution No. 2014 _____, a preliminary resolution declaring intent to exercise special assessment powers granted by Section 207-15 of the Municipal Code and Section 66.0701 of the state statutes for installation of a water main in W. St. Martin's Road from S. Chapel Hill Drive to a point 440 feet southeast of S. Chapel Hill Drive and setting the public hearing date for 7/15/2014 at 6:30 p.m.

JMB/sg

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2014- _____

A PRELIMINARY RESOLUTION DECLARING INTENT TO EXERCISE SPECIAL
ASSESSMENT POWERS GRANTED BY SECTION 207-15 OF THE MUNICIPAL CODE
AND SECTION 66.0701 OF THE STATE STATUTES
FOR INSTALLATION OF A WATER MAIN
IN W. ST. MARTIN'S ROAD
FROM S. CHAPEL HILL DRIVE
TO A POINT 440 FEET SOUTHEAST OF S. CHAPEL HILL DRIVE
AND SETTING THE PUBLIC HEARING DATE FOR 7/15/2014 AT 6:30 P.M.

WHEREAS, the Common Council has determined that it is expedient and necessary for the best interests of the City, its people and the property affected thereby that the following permanent improvements be made as described in this preliminary resolution.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin.

1. The Common Council declares its intent to exercise police powers granted to it by law and adjudge that it is necessary for the health, safety and welfare of the public and affected property owners that a public work of improvement be made for the installation of water main in W. St. Martin's Road from S. Chapel Hill Drive to a point 440 ft. southeast of S. Chapel Hill Drive.
2. The Common Council in this process exercises its power to levy special assessments under its police power as authorized in Section 207-15 of the Municipal Code and Section 66.0701 of the Wisconsin Statutes.
3. The Common Council further declares that all assessments may be paid in one (1) payment when the work is completed, or in the next succeeding tax roll, or in the number of annual installments as determined by the Common Council.
4. The Common Council further declares that the amount assessed against any property for this improvement shall be upon a reasonable basis as determined by the Common Council.
5. That the City Engineer and/or his authorized representative is directed to prepare the report as described in Section 207-15.E. of the Municipal Code for the installation of water main in W. St. Martin's Road from S. Chapel Hill Drive to a point 440 ft. southeast of S. Chapel Hill Drive.
6. Upon completion of such report the City Engineer and/or his authorized representative is directed to file a copy thereof in the Office of the City Clerk for public inspection.

7. That the City Clerk is directed to schedule and give notice of a Public Hearing to be conducted by the Mayor and Common Council in accordance with the provisions of Section 207-15.I. of the Municipal Code.

INTRODUCED at a regular meeting of the Common Council of the City of Franklin on the _____ day of _____, 2014, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin this _____ day of _____, 2014.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

JMB/db

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/3/14
Reports & Recommendations	SUBJECT: A resolution awarding a contract in the amount of \$117,360.00 to The Wanasek Corp. for the extension of water main in W. St. Martins Road from S. Chapel Hill Drive to a point 440 feet southeast of S. Chapel Hill Drive	ITEM NO. 6.5.

BACKGROUND

At a previous meeting, the Common Council authorized staff to receive bids in process for the extension of water main on W. St. Martins Road from the southeast to S. Chapel Hill Drive in order to complete a major water main loop to increase the reliability of the water system for the westerly portion of the City. Bids were received on October 3, 2013 for the project. The bids were rejected on November 5, 2013 based on staff recommendation.

The project was rebid and four bids were received on February 27, 2014.

ANALYSIS

The four bids were competitive, as seen on the bid tab summary. The Wanasek Corp. has performed a number of projects successfully in the City and therefore is qualified.

A letter of recommendation from the City's design consultant, Kaempfer & Associates, is attached herewith.

It is recommended by staff and the design consultant to award the contract in the amount of \$117,360.00 to The Wanasek Corp.

OPTIONS

Approve, defer or deny award.

It is also in the best interest of the City to proceed with this project construction as weather allows.

FISCAL NOTE

Funds are available in the water connection fee account to cover the deferment and the oversize and non-assessable costs for the stated water main extension with laterals.

RECOMMENDATION

Motion to adopt Resolution No. 2014-_____, a resolution awarding a contract in the amount of \$117,360.00 to The Wanasek Corp. for the extension of water main in W. St. Martins Road from S. Chapel Hill Drive to a point 440 feet southeast of S. Chapel Hill Drive.

RJR/sg
Encl.

STATE OF WISCONSIN; CITY OF FRANKLIN; MILWAUKEE COUNTY

RESOLUTION NO. 2014 - _____

A RESOLUTION AWARDDING CONTRACT IN THE AMOUNT OF \$117,360.00
TO THE WANASEK CORP. FOR THE EXTENSION OF WATER MAIN
IN W. ST. MARTINS ROAD S. CHAPEL HILL DRIVE TO A POINT 440 FEET SOUTHEAST
OF S. CHAPEL HILL DRIVE

WHEREAS, the City of Franklin advertised and solicited bids for the installation of water main along W. St. Martins Road from 440 feet southeast to S. Chapel Hill Drive; and

WHEREAS, the low bidder was The Wanasek Corp. with a bid of \$117,360.00; and

WHEREAS, The Wanasek Corp. are qualified public works contractors.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that The Wanasek Corp. be awarded the contract for the installation of water main with laterals along W. St. Martins Road based on their low base bid of \$117,360.00 in accordance with bid specifications and plans.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized and directed to execute a contract with The Wanasek Corp. on behalf of the City.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2014.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RJR/sg

Kaempfer & Associates, Inc.

Consulting Engineers

650 East Jackson St. P.O. Box 150
Oconto Falls, Wisconsin 54154
(920) 845-3932 Fax (920) 846-8319

February 28, 2014

E142-03.06

Mr. John M. Bennett, P.E., City Engineer
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

Re: St. Martins Road Transmission Main Extension
Bid Award Recommendations

Dear Mr. Bennett:

On Thursday, February 27, 2014, at 11:00 a.m., bids for St. Martins Road Transmission Main Extension, Contract E142-14-01, were opened and read. A total of four (4) bids were received. All bidders whose proposals were received were prequalified by the City of Franklin. The four (4) bids received were as follows:

<u>Contractor</u>	<u>Total Bid</u>
The Wanasek Corp.	\$117,360.00
D.F. Tomasini Contractors, Inc.	\$118,920.00
Willkomm Excavating & Grading, Inc.	\$120,178.00
Reesman's Excavating & Grading, Inc.	\$145,783.50

The proposal schedule did not contain any optional work items or substitute optional work items. No Contractors offered alternative bid items.

A copy of the bid tabulation, which includes details of unit price work items, is attached for your information. The bid tabulation reflects the amounts after all corrections have been made. There were no addenda issued during the bidding process.

The Engineer's estimate for the base bid items of the project, based on the final design, was \$128,030. The low bid for the project was approximately eight percent (8%) lower than the Engineer's estimate. We are of the opinion that bidding on the project was very competitive due to the closeness of the bids and the number of bidders.

All proposals were notarized and submitted with a bid bond for ten percent (10%) of the bid amount. The following irregularities were found when the bids were reviewed:

February 28, 2014

Mr. John M. Bennett, P.E., City Engineer

Page 2

1. The Wanasek Corp. provided a unit price for Bid Item 25 written in words as "Twenty" and written in figures as \$50.00. The total cost for Bid Item 25 was listed as \$1,000.00. The correct total cost for Bid Item 25 is \$400.00. The total bid for Contract E142-14-01 was incorrect due to this error. The total bid for Contract E142-14-01 was listed as \$117,960.00. The correct total bid for Contract E142-14-01 is \$117,360.00. The Wanasek Corp. listed multiple manufacturers on the Proposed Material List for gate valves, PVC pressure pipe, and hydrant. The Wanasek Corp. did not provide a supplier on the Proposed Material List for gate valves, ductile iron fittings, PVC pressure pipe and hydrant.
2. D.F. Tomasini Contractors, Inc. provided a total bid on Page A10 for the unit price Contract E142-14-01 written in words and figures as \$124,190.00. The total sum of Bid Items 1 through 25 did not equal the amount of the total bid listed on Page A10. D.F. Tomasini Contractors, Inc. provided a total sum on Page A13 for Bid Items 1 through 25 as \$118,920.00. The correct total bid for the unit price Contract E142-14-01 is \$118,920.00. D.F. Tomasini Contractors, Inc. failed to provide suppliers for material on the Proposed Material List. D.F. Tomasini Contractors, Inc. failed to provide a list of their subcontractors.
3. Willkomm Excavating & Grading, Inc had an incorrect total cost for Bid Item 10 due to a multiplication error. The total cost for Bid Item 10 was listed as \$1,700.00. The correct total cost for Bid Item 10 is \$3,400.00. The total bid for Contract E142-14-01 was not affected by this error. Willkomm Excavating & Grading, Inc. provided names of two manufactures for gate valves and hydrants. Willkomm Excavating & Grading, Inc. provided names of three manufactures for PVC pressure pipe.
4. Reesman's Excavating & Grading, Inc. failed to provide a complete address for the asphalt paving subcontractor.

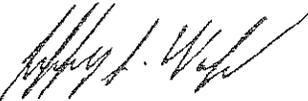
We are of the opinion that the irregularities are not significant and should be waived.

We recommend that Contract E142-14-01, St. Martins Road Transmission Main Extension, be awarded to The Wanasek Corp. of Burlington, Wisconsin, for the base bid amount of \$117,360.00.

Please contact Chris Kaempfer or me if you have any questions.

Sincerely,

KAEMPFER & ASSOCIATES, INC.



Jeffrey Wolford, P.E.

JW:jlb

Enc: Bid Tabulation

Bid Tabulation
St. Martins Road Transmission Main Extension
Contract No. E142-14-01
City of Franklin

Bid Date: February 27, 2014
Engineer: Kaempfer & Associates, Inc.
Page 1 of 1

Contractor	Base Bid	Bid Bond
The Wanasek Corp.	\$117,360.00	10%
D.F. Tomasini Contractors, Inc.	\$118,920.00	10%
Willkomm Excavating & Grading, Inc.	\$120,178.00	10%
Reesman's Excavating & Grading, Inc.	\$145,783.50	10%
Engineer's Estimate	\$128,030.00	

ST. MARTINS ROAD TRANSMISSION MAIN EXTENSION
 Contract E142-14-01
 City of Franklin, Milwaukee County, Wisconsin
 February 27, 2014

Item No.	Description	The Wanasek Corp.		Contractors		Willkomm Excav. & Grading, Inc.	
		Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
UNIT PRICE WORK ITEMS							
1	200 -lineal feet of 16-inch PVC PW pipeline	\$101.00	\$20,200.00	\$119.00	\$23,800.00	\$103.00	\$20,600.00
2	290 -lineal feet of 16-inch PVC PW pipeline with gravel backfill	\$134.00	\$38,860.00	\$135.00	\$39,150.00	\$126.00	\$36,540.00
3	10 -lineal feet of 8-inch PVC PW pipeline with gravel backfill	\$144.00	\$1,440.00	\$115.00	\$1,150.00	\$88.00	\$880.00
4	1 -each connection of a 16-inch PVC PW pipeline to an existing 16-inch WM pipeline including 16-inch solid sleeve	\$4,580.00	\$4,580.00	\$3,000.00	\$3,000.00	\$5,300.00	\$5,300.00
5	1 -each connection of an 8-inch PVC PW pipeline to an existing 8-inch WM pipeline, including 8-inch solid sleeve	\$2,830.00	\$2,830.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00
6	1 -each remove existing 8-inch valve at the intersection of Chapel Hill Drive and Cascade Drive and reconnect 8-inch WM, including 8-inch solid sleeve and 8-inch PW with gravel backfill	\$4,200.00	\$4,200.00	\$3,400.00	\$3,400.00	\$2,900.00	\$2,900.00
7	1 -each 16-inch x 8-inch PW tee	\$1,970.00	\$1,970.00	\$1,600.00	\$1,600.00	\$2,200.00	\$2,200.00
8	1 -each 16-inch x 6-inch PW anchoring tee	\$1,770.00	\$1,770.00	\$1,300.00	\$1,300.00	\$1,900.00	\$1,900.00
9	1 -each 16-inch PW plug with air release assembly	\$1,900.00	\$1,900.00	\$1,300.00	\$1,300.00	\$1,900.00	\$1,900.00
10	2 -each 16-inch PW 1/2 bend	\$1,600.00	\$3,200.00	\$1,300.00	\$2,600.00	\$1,700.00	\$3,400.00
11	2 -each 16-inch butterfly valve and box	\$3,900.00	\$7,800.00	\$3,000.00	\$6,000.00	\$3,600.00	\$7,200.00
12	1 -each 8-inch gate valve and box	\$2,100.00	\$2,100.00	\$1,700.00	\$1,700.00	\$1,900.00	\$1,900.00
13	1 -each 6-inch gate valve and box	\$1,550.00	\$1,550.00	\$1,200.00	\$1,200.00	\$1,200.00	\$1,200.00
14	1 -each fire hydrant	\$4,635.00	\$4,635.00	\$3,300.00	\$3,300.00	\$4,100.00	\$4,100.00
15	5 -lineal feet of 6-inch PVC PW hydrant lead	\$118.00	\$590.00	\$70.00	\$350.00	\$101.00	\$505.00
16	760 -lineal feet of tracer wire	\$1.00	\$760.00	\$0.50	\$380.00	\$0.55	\$418.00
17	1 -each tracer wire access riser	\$100.00	\$100.00	\$50.00	\$50.00	\$100.00	\$100.00
18	3 -each 16-inch x 1 1/4-inch service saddle with 1 1/4-inch WS corporation stop	\$965.00	\$2,895.00	\$300.00	\$900.00	\$430.00	\$1,290.00
19	3 -each 1 1/4-inch WS curb stop with box	\$320.00	\$960.00	\$250.00	\$750.00	\$315.00	\$945.00
20	105 -lineal feet of 1 1/4-inch HDPE WS pipeline	\$32.00	\$3,360.00	\$58.00	\$6,090.00	\$28.00	\$2,940.00
21	150 -lineal feet of 1 1/4-inch HDPE WS pipeline installed by boring	\$30.00	\$4,500.00	\$59.00	\$8,850.00	\$46.00	\$6,900.00
22	50 -lineal feet of Type I roadway restoration	\$63.00	\$3,150.00	\$105.00	\$5,250.00	\$117.00	\$5,850.00
23	10 -lineal feet of Type II roadway restoration	\$136.00	\$1,360.00	\$110.00	\$1,100.00	\$144.00	\$1,440.00
24	250 -lineal feet of gravel shoulder restoration	\$9.00	\$2,250.00	\$8.00	\$2,000.00	\$25.00	\$6,250.00
25	20 -lineal feet of curb and gutter restoration	\$20.00	\$400.00	\$85.00	\$1,700.00	\$51.00	\$1,020.00
TOTAL, Items 1 through 25			\$117,360.00		\$118,920.00		\$120,178.00

ST. MARTINS ROAD TRANSMISSION MAIN EXTENSION
 Contract E142-14-01
 City of Franklin, Milwaukee County, Wisconsin
 February 27, 2014

Item No.	Description	Contractors		Engineer's Estimate	
		Reesman's Excav. & Grading, Inc. Unit Price	Total Cost	Unit Price	Total Cost
UNIT PRICE WORK ITEMS					
1	200 -lineal feet of 16-inch PVC PW pipeline	\$166.00	\$33,200.00	\$110.00	\$22,000.00
2	290 -lineal feet of 16-inch PVC PW pipeline with gravel backfill	\$185.00	\$53,650.00	\$140.00	\$40,600.00
3	10 -lineal feet of 8-inch PVC PW pipeline with gravel backfill	\$170.00	\$1,700.00	\$110.00	\$1,100.00
4	1 -each connection of a 16-inch PVC PW pipeline to an existing 16-inch WM pipeline including 16-inch solid sleeve	\$4,000.00	\$4,000.00	\$7,000.00	\$7,000.00
5	1 -each connection of an 8-inch PVC PW pipeline to an existing 8-inch WM pipeline, including 8-inch solid sleeve	\$3,550.00	\$3,550.00	\$4,000.00	\$4,000.00
6	1 -each remove existing 8-inch valve at the intersection of Chapel Hill Drive and Cascade Drive and reconnect 8-inch WM, including 8-inch solid sleeve and 8-inch PW with gravel backfill	\$4,985.00	\$4,985.00	\$5,700.00	\$5,700.00
7	1 -each 16-inch x 8-inch PW tee	\$1,700.00	\$1,700.00	\$1,500.00	\$1,500.00
8	1 -each 16-inch x 6-inch PW anchoring tee	\$1,175.00	\$1,175.00	\$1,400.00	\$1,400.00
9	1 -each 16-inch PW plug with air release assembly	\$1,900.00	\$1,900.00	\$1,500.00	\$1,500.00
10	2 -each 16-inch PW ¼ bend	\$1,100.00	\$2,200.00	\$1,300.00	\$2,600.00
11	2 -each 16-inch butterfly valve and box	\$3,250.00	\$6,500.00	\$3,000.00	\$6,000.00
12	1 -each 8-inch gate valve and box	\$1,675.00	\$1,675.00	\$1,500.00	\$1,500.00
13	1 -each 6-inch gate valve and box	\$1,100.00	\$1,100.00	\$1,300.00	\$1,300.00
14	1 -each fire hydrant	\$4,300.00	\$4,300.00	\$4,000.00	\$4,000.00
15	5 -lineal feet of 6-inch PVC PW hydrant lead	\$80.00	\$400.00	\$80.00	\$400.00
16	760 -lineal feet of tracer wire	\$1.10	\$836.00	\$0.50	\$380.00
17	1 -each tracer wire access riser	\$140.00	\$140.00	\$100.00	\$100.00
18	3 -each 16-inch x 1 ¼-inch service saddle with 1 ¼-inch WS corporation stop	\$425.00	\$1,275.00	\$600.00	\$1,800.00
19	3 -each 1 ¼-inch WS curb stop with box	\$220.00	\$660.00	\$500.00	\$1,500.00
20	105 -lineal feet of 1 ¼-inch HDPE WS pipeline	\$47.50	\$4,987.50	\$50.00	\$5,250.00
21	150 -lineal feet of 1 ¼-inch HDPE WS pipeline installed by boring	\$58.00	\$8,700.00	\$80.00	\$12,000.00
22	50 -lineal feet of Type I roadway restoration	\$77.00	\$3,850.00	\$50.00	\$2,500.00
23	10 -lineal feet of Type II roadway restoration	\$75.00	\$750.00	\$40.00	\$400.00
24	250 -lineal feet of gravel shoulder restoration	\$5.00	\$1,250.00	\$10.00	\$2,500.00
25	20 -lineal feet of curb and gutter restoration	\$65.00	\$1,300.00	\$50.00	\$1,000.00
TOTAL, Items 1 through 25			\$145,783.50		\$128,030.00

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">06/3/14</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">REQUEST FOR COMMON COUNCIL TO REFER TO THE PARKS COMMISSION THE REVIEW AND RECOMMENDATION FOR THE OFFICIAL NAMING OF THE NEWLY INSTALLED TRAIL BETWEEN PLEASANT VIEW SCHOOL AND THE VICTORY CREEK SUBDIVISION (ALDW WILHELM).</p>	<p style="text-align: center;"><i>G.6.</i></p>

The construction of the trail located within Aldermanic District 3, north of West Drexel Avenue and between Pleasant View School and the Victory Creek Subdivision, is nearly complete, except for restoration of the disturbed area immediately adjacent to the trail and installation of trail identification signage. An “official” project name will be required on the posted trail signage.

In accordance with Resolution No. 2010-6634, A Resolution Establishing a City Buildings, Parks and Facilities Naming Policy, and specifically Part II. Authorization, “The Common Council shall have the authority for the naming of all City buildings, parks and facilities by passing or rejecting a resolution at a regular or special Common Council meeting. **The Common Council shall request the review and recommendation of the Parks Commission for the naming of any public park or park facility**”.

COUNCIL ACTION REQUESTED

A motion to request review and recommendation from the Parks Commission, of the suggested official name for the newly installed trail between Pleasant View School and the Victory Creek Subdivision, in accordance with Resolution No. 2010-6634, the City’s Buildings, Parks and Facilities Naming Policy.

RESOLUTION NO. 2010-6634A RESOLUTION ESTABLISHING A CITY BUILDINGS, PARKS AND FACILITIES
NAMING POLICY

WHEREAS, the Common Council having considered the value of establishing a uniform policy to address the naming of City buildings, parks and facilities to assist in the consideration of requests received and proposals and considerations made from time to time to name City property; and

WHEREAS, the Parks Commission and the Board of Public Works having considered the terms of a naming policy for City property as directed by the Common Council and having reported their respective recommendations to the Common Council; and

WHEREAS, the Common Council having considered such recommendations in its deliberations and having determined a policy for the naming of City property which will promote the public welfare and best interests of the City.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the naming of City buildings, parks and facilities be conducted as follows:

City of Franklin Public Buildings, Parks and Facilities Naming Policy

I. Purpose

The purpose of this policy is to establish a uniform procedure for the naming of City buildings, parks and facilities throughout the City of Franklin.

II. Authorization

The Common Council shall have the authority for the naming of all City buildings, parks and facilities by passing or rejecting a resolution at a regular or special Common Council meeting. The Common Council shall request the review and recommendation of the Parks Commission for the naming of any public park or park facility. The Common Council shall request the review and recommendation of the Board of Public Works for the naming of any public building. In the event the Common Council does not receive the requested recommendation from the Commission or the Board within 45 days of such request, respectively, the Common Council may take action without such recommendation(s).

III. Objectives

- Provide name identification

- Provide citizen/neighborhood input into the process
- Insure control for naming policy

IV. Qualifying Name

- Geographic location to facility
- Outstanding feature
- Adjoining subdivision
- Historical event, group, or individual; except that eligibility shall commence only after five years following the event or other basis establishing the historical significance
- Exceptional service in the public interest that has had a major impact and benefit to the City by an individual who demonstrates dedication to service to the City and/or to individuals, families, groups, or community services, extraordinarily above and beyond the call of duty; except that in the event of a public employee or elected or appointed official, eligibility shall commence only after five years following the completion of their public service
- Exceptional service in the public building, park or facility's interest
- Contribution to acquisition/development of the public building, park or facility

V. Naming City Buildings, Parks and Facilities

The City's approval of a naming proposal is the conferral of a privilege, not a right, and at all times the City shall reserve the right to reject any naming proposal for any reason not prohibited by law. The following guidelines will be used when naming a public building, park or facility:

1. A name is intended to be permanent.
2. Duplication of other places or facility names in the City shall not be considered.
3. Any consideration of a proposal for a name must be commenced by a motion authorizing the same made by the Common Council.
4. Prominent geographic features or local reference points (i.e., hill, stream, lake, notable tree, street, community or neighborhood) shall be considered for a potential name.
5. After the Common Council preliminarily decides upon a name, public notice of the recommended name shall be published as a Class 2 notice, specifying a thirty (30) day public comment period in the City's official newspaper. Citizen comments and recommendations must be in writing to the City Clerk and must be postmarked within the thirty (30) day public comment period.
6. After the thirty (30) day public comment period, the Common Council will pass a resolution adopting or rejecting the name.
7. An existing name of a public building, park and/or facility, particularly one of local or national importance or outstanding feature, shall not be changed unless there are extraordinary circumstances of local or national interest.

VI. Renaming

a. The renaming of public buildings, parks and facilities is strongly discouraged. It is recommended that efforts to change a name be subject to the most critical

examination so as not to diminish the original justification for the name or discount the value of the prior contributors.

b. City buildings, parks and facilities named after individuals shall never be changed unless it is found that the individual's personal character is or was such that the continued use of the name for a park or facility would not be in the best interest of the community.

c. In order for a City building, park or facility to be considered for renaming, the recommended name must qualify according to Sections IV. and V. of this Policy.

VII. Other Naming Alternatives

a. City buildings, parks and facilities that are donated to the City can be named by deed restriction by the donor. The naming and acceptance of land is subject to the guidelines set forth above and approval by the Common Council.

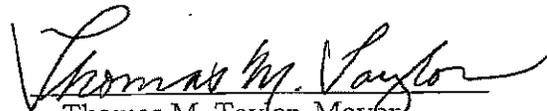
b. A facility within a park, i.e., playground, picnic shelter, etc., can be named separately from the park or facility location subject to this Policy.

c. This Policy does not apply to the naming of public streets.

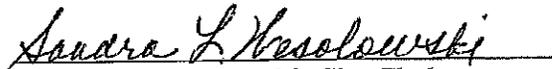
Introduced at a regular meeting of the Common Council of the City of Franklin this 16th day of March, 2010.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 16th day of March, 2010.

APPROVED:


Thomas M. Taylor, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0

APPROVAL <i>Stw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/3/14
Reports & Recommendations	SUBJECT: Authorization for Graef to perform soil borings necessary for plans and bidding documents for the development of Pleasant View Park including the street extension W. Evergreen Street	ITEM NO. <i>6.7.</i>

BACKGROUND

The Common Council gave authorization on May 6, 2014 for engineering services per agreement with Graef in the amount of \$32,900 necessary to prepare plans and specification for the bidding of the extension of W. Evergreen Street and Pleasant View Park.

Graef has proceeded with this design and found the need to add soil boring(s) and evaluation.

ANALYSIS

Graef has evaluated stormwater management (quantity and quality) on this project. Using a volumetric approach has determined that it will not be necessary to provide water quantity facilities such as a pond. Rather water quality will be able to be achieved by using soil and plant infiltration and transpiration. It will be necessary to evaluate soils to best design this type of water quality treatment.

It is recommended that the design without pond proceed. There is always concern for park user liability and maintenance with pond.

It is best to do this design with soil borings. Given that mobilization would be fixed, it is further suggested that soil borings below proposed the Evergreen Street extension and the park parking lot be performed. In addition, a boring should be taken below the future pavilion for bearing capability determination.

OPTIONS

Authorize this additional charge for soil borings.

or

Deny authorization.

FISCAL NOTE

The cost of siting and boring in several locations on site being \$5,100. There will be cost savings to the project by not excavating the pond. There is the potential to use MMSD funding for water quality facility.

RECOMMENDATION

Motion for authorization for Graef to perform soil borings not to exceed \$5,100 necessary for plans and bidding documents for the development of Pleasant View Park including the street extension W. Evergreen Street

RJR/sg

CA\Auth Agmt with Graef for soil boring plans & bidding of Pleasant View Park 2014

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/3/14
Reports & Recommendations	SUBJECT: Reconstruction of S. North Cape Road (Phase 1) from W. Speedway Drive to W. Scherrei Drive relative to saving specimen trees	ITEM NO. <i>G.8.</i>

BACKGROUND

Pursuant to the planned reconstruction of S. North Cape Road in the City of Franklin, it was the direction of the previous Mayor and Common Council not to include sidewalk on the east side and proceed with the extension at the same width of the existing, but with added three (3) foot wide asphalt shoulders on each side. The previous Common Council indicated that the City would work with Milwaukee County to save as many of the mature valuable species trees as possible while keeping the cost at a reasonable level. The County has decided to complete only about 1/3 of the total reconstruction (from the north end to W. Scherrei Drive) during the 2014 construction season and the remaining portion in 2015.

ANALYSIS

The City Arborist reviewed all the trees in the area to be reconstructed in 2014 and identified twenty-one (21) trees within public right-of-way that are valued mature specimen trees. The consultant working for the County for the design of S. North Cape Road has estimated that it would cost approximately \$50,000 to save the 21 trees by piping the ditches in the area of the trees to be saved. County staff has indicated that if the City wants to save the trees, it will be at the City's cost. Please note that all the trees to be saved are in the public right-of-way and no compensation is required in removing the trees. It should also be noted that the first phase is a little over 1/3 of the full project and it can be assumed that to save the large trees in a similar manner in the second phase may cost an additional \$100,000.

OPTIONS

Motion to direct the County to commence with the saving of the 21 trees in Phase 1 for a cost of \$50,000.

or

Motion to deny the need to pipe ditches at valued trees

or

Hold off making a decision which then may postpone the reconstruction to 2015.

FISCAL NOTE

Sufficient unapproved appropriation is included in the 2014 budget to complete this project as currently envisioned (\$50,000 additional expenditure). A budget amendment will be needed to move the project from un-approved to an approved project. The 2014 budget appropriated \$328,000 for the N Cape Road project (being net City funds – Project costs of \$800,000 less \$472,000 of impact fees). \$27,000 was expended in 2013 (for engineering services).

Note: - the balance of the City N Cape Road project appropriation (\$188,000 - \$238,000 less \$50,000) will be needed to support the Pleasant View park project –(see the May 1, 2014 email attached to the May 6, 2014 Common Council agenda - G10).

RECOMMENDATION

Motion to direct staff to work with Milwaukee County to enclose certain lengths of ditch to save the 21 trees identified by the City's Arborist as the specimen trees in Phase 1 of the reconstruction of S. North Cape Road at a cost of \$50,000 and direct the Finance Department to make arrangements for the funding for 2014.

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">June 3, 2014</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p>Application of Milwaukee Water Works, Milwaukee County, Wisconsin, for Authority to Increase Water Rates; Public Service Commission of Wisconsin Docket No. 3720-WR-108; some 137 properties in the City of Franklin being affected thereby</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.9.</i></p>

Upon information gleaned from the Wisconsin Public Service Commission (PSC) web site, Milwaukee Water Works (MWW) commenced a water utility rate increase case before the PSC on or about March 4, 2014. Some 137 properties along the northern border of the City of Franklin are served by MWW. The only information received by staff with regard to the subject matter was the attached letter from the Superintendent of MWW on May 5, 2014. Attached is a newspaper article dated May 28, 2014, describing the participation of other municipalities in the proceedings before the PSC. Staff informs that no notice of the commencement of the proceedings was received other than the letter aforementioned. The Director of Finance has conferred with the Superintendent of MWW and the City Attorney has conferred with PSC staff. Apparently, while not specifically named in the proceedings, Franklin is under consideration due to the MWW application naming "suburban" class customers, as a prior PSC practice.

The subject matter of concern is that apparently, MWW has not been charging the costs of public fire protection (pfp), a standard cost of regulated Wisconsin water utilities, to the some 137 properties in Franklin, and the PSC in the aforementioned proceedings has directed MWW to address the situation with Franklin and the other municipalities with similar prior non-pfp charged customers of MWW. MWW offered the alternatives to Franklin of City pay or the some 137 property owners pay, in the attached letter.

The City of Franklin initiated what has been termed by the PSC as the "Franklin Method" for the payment of public fire protection charges, with the adoption of the attached Resolution No. 92-3913 on December 15, 1992, and a subsequent PSC public hearing proceeding and Decision thereon, the result being that a municipality may decide (as Franklin did) to pay one-half of the cost of public fire protection services from general revenues and require the other one-half to be paid by the utility customers.

The roughly estimated total costs of the MWW request (stated to be at the instance of the PSC in the aforesaid rate case proceedings) is in the \$13,500 to \$15,500 range. Discussions aforesaid by the Director of Finance and the City Attorney have mentioned the potential of the City paying one-half, with the subject some 137 property owners paying the other one-half of the pfp costs to MWW; those discussions included the disclaimer that neither office had any authority to do so, but were in response to the MWW position in the letter and follow-up correspondence that either the City or the property owners pay the entire charge, with no sharing involved, in preparation for the subject matter to be placed before the Franklin Common Council.

The Director of Finance and Treasurer and the City Attorney will be present at the meeting to discuss the subject with the Council. Staff at the time of this writing is also intending to search the archives for the PSC Decision on the "Franklin Method", so that same will be available for Council review at the meeting.

COUNCIL ACTION REQUESTED

A motion as the Common Council deems appropriate.



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Wauwatosa to challenge hike in water rates proposed by Milwaukee



By Rory Linnane
May 28, 2014

Reacting to Milwaukee Water Works' proposal to increase Wauwatosa's water rate by about 34 percent, Wauwatosa officials are teaming up with neighboring communities to challenge the hike.

Wauwatosa started buying water from MWW in 1963, and now MWW water comprises about 30 percent of the city's water utility expenses.

The Wauwatosa Budget and Finance Committee voted Tuesday, May 27, to hire an analyst, Short Elliot Hendrickson Inc., to represent the city and eight other municipalities that are also pitching in. The analyst will contest MWW's request before the Public Service Commission of Wisconsin, an independent regulatory agency that has to approve changes to utility rates.

Depending on what strategy the group decides to take, the analyst could cost the city between \$13,000 and \$35,000. Wauwatosa Water Superintendent James Wojcehowicz said he expected the process would save the city at least enough money to recoup the cost.

Wauwatosa currently pays an annual rate of about \$2.03 million for water from MWW, and the 2014 budget is based on an estimated payment of \$2.27 million. Under MWW's proposal, Wauwatosa would pay about \$2.72 million.

"We're hiring the analyst to ensure the rate increase is just and fair," said John Ruggini, Wauwatosa finance director. "Milwaukee Water Works is facing many challenges with aging infrastructure. It's not unanticipated they're raising the rates; we want to make sure those rates are raised for the right reasons."

Other communities planning to participate are West Allis, Shorewood, Menomonee Falls, Greendale, Brown Deer, Mequon, New Berlin and Butler.

The last time MWW filed a request with the Public Service Commission of Wisconsin to increase its rates in such a way (with a conventional rate case application) was in 2009. At that time, Wauwatosa hired the same analyst with the same eight other suburbs, plus Milwaukee County. As a result of the challenge, Wojcehowicz said the analyst got \$400,000 knocked off of the city's rate, which ended up giving the city a decreased rate from the previous year.

Wojcehowicz said he does not believe rates will ever decrease again, but he does expect to reduce the proposed hike.

In addition to the 34 percent increase, MWW requested a 3 percent rate hike described as similar to a cost-of-living increase. The budget and finance committee voted to pass that cost along to residents. That increase, coming out to about 80 cents for the average residence, will show up on bills in August if also approved by the common council and public service commission.

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Your link to the biggest stories in the suburbs delivered Thursday mornings.

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STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 92- 3913

RESOLUTION CHANGING THE METHOD OF PAYING FIRE PROTECTION
CHARGES TO FRANKLIN WATER UTILITY

WHEREAS, §196.03(3)(b), Wis. Stats., provides that in the case of a public utility furnishing water, the retail charges for the production, storage, transmission, sale and delivery or furnishing of water for public fire protection purposes not included in general service charges shall be included in the water utility bill of each customer of the public utility in a city, village or town unless the governing body of that city, village or town adopts a resolution providing that the city, village or town will pay those charges to the public utility furnishing the water; and

WHEREAS, the Common Council of the City of Franklin passed and adopted a resolution on the 5th day of July, 1989, pursuant to said statute, resolving that the municipality would continue to pay the water-related fire protection charges billed to it by the Franklin Water Utility until the Common Council adopted a subsequent resolution changing the method of such payment to the Franklin Water Utility; and

WHEREAS, upon reviewing substantial rate increases for public fire protection charges promulgated in 1992, the Common Council of the City of Franklin has considered the methods of payment of public fire protection charges to the Franklin Water Utility, including the full payment of such charges to the utility by the municipality, the full payment of such charges by the customers of the utility and a method of payment whereby such payment would be apportioned between water utility customers and the municipality based upon a determination of the various levels of public fire protection service benefits flowing to water utility customers and other property owners within the municipality; and

WHEREAS, the Investigation on the Commission's Own Motion, into the Appropriate Method of Calculating Direct Customer Charges for Public Fire Protection, Case No: 05-WI-100, before the Public Service Commission of Wisconsin, Findings of Fact, Conclusions of Law and Order dated May 2, 1989, provides at Determination-Issue No. 11, that a municipality may change its method of payment of public fire protection charges to a water utility from time to time; and

WHEREAS, the Common Council understands that a change from the method of full municipal payment of public fire protection charges to the Franklin Water Utility to a method which apportions such payment between the municipality and utility customers will require a formal rate proceeding with hearings before the Public Service Commission; and

WHEREAS, the Common Council of the City of Franklin has determined that the payment of public fire protection charges on an apportioned basis determined by calculating the various levels of public fire protection benefits to utility customers and to other property owners within the municipality will provide for a more equitable distribution of the costs of public fire protection amongst those receiving different levels of benefit of such service as the community develops.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, that Resolution No. 89-3328, a Resolution Maintaining Present Method of Paying Fire Protection Charges to Franklin Water Utility, be and the same is hereby rescinded, effective January 1, 1993.

BE IT FURTHER RESOLVED, effective January 1, 1993, and until the Common Council of the City of Franklin adopts a subsequent resolution changing the method for payment for public fire protection charges, as is its intent pending direction from an anticipated rate case hearing determination of the Public Service Commission of Wisconsin to be brought by the Franklin Water Utility requesting approval of an apportioned method of payment of public fire protection charges between the City of Franklin and Franklin Water Utility customers, the City of Franklin will not pay public fire protection charges to the Franklin Water Utility.

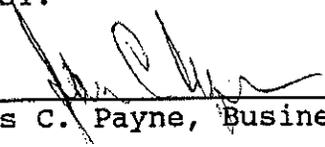
Introduced at a regular meeting of the Common Council on the 15th day of December, 1992.

Passed and adopted by the Common Council on the 15th day of December, 1992.

APPROVED:


Frederick F. Klimetz

ATTEST:


James C. Payne, Business Administrator

AYES 6 NOES 0 ABSENT 0

Milwaukee Water Works

Safe, Abundant Drinking Water.

VII-C
RECEIVED

MAY 05 2014

City of Franklin
Engineering Department

May 1, 2014

John Bennett
City Engineer
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

Dear Mr. Bennett:

As you know, there are 137 "boundary" customers in Franklin that receive water service from, and are billed directly by, Milwaukee Water Works (MWW). These customers are served by MWW due to the proximity of our utility's water main(s) to the properties. The addresses for these "boundary" customers are attached.

The Public Service Commission (PSC) has brought to our attention that in addition to the water service charge and charge for the amount of water used, these customers should also be billed for public fire protection (PFP), but they are not being so charged. In order for MWW to properly assess the PFP charges, we need to know how Franklin would like to have these charges levied. Under Wis. Stats. 196.03(3)(b), each governing body can choose to accept an annual charge from MWW, or have the customers direct charged for PFP service on their "water" bill. If the PFP is to be charged to the community, a resolution to this effect must be passed. A copy of the resolution must be sent to MWW. If the charge is to be placed on each customer's bill, all that is needed is a letter from the appropriate city official to that effect. The PFP charge is based on meter size per the attached tariff.

Please let me know how you would like to proceed. The PSC has indicated that a response is required before the public hearing date for MWW's upcoming rate adjustment request, which is currently scheduled for June 25, 2014.

Thank you very much for your assistance with this matter.

Very truly yours,



Carrie M. Lewis
Superintendent

CML:sls
Enclosure



Milwaukee Water Works

CITY: FRANKLIN

ADDRESS

METER SIZE

3311 W COLLEGE AV	3 INCH
3131 W COLLEGE AV	5/8 INCH
2885 W COLLEGE AV	3/4 INCH
2885 W COLLEGE AV	1 INCH
6311 S 27TH ST	3/4 INCH
6405 S 27TH ST	3 INCH
6611 S 27TH ST A	5/8 INCH
6611 S 27TH ST B	1 INCH
3231 W COLLEGE AV	5/8 INCH
4269 W COLLEGE AV	1 1/2 INCH
4245 W COLLEGE AV	1 1/2 INCH
4221 W COLLEGE AV	1 1/2 INCH
4197 W COLLEGE AV	1 1/2 INCH
4165 W COLLEGE AV	1 1/2 INCH
4029 W COLLEGE AV	1 INCH
4011 W COLLEGE AV	1 1/2 INCH
3981 W COLLEGE AV	1 1/2 INCH
3965 W COLLEGE AV	1 1/2 INCH
3941 W COLLEGE AV	1 INCH
3925 W COLLEGE AV	1 1/2 INCH
4061 W COLLEGE AV	1 INCH
4045 W COLLEGE AV	1 1/2 INCH
4163 W COLLEGE AV	1 INCH
4139 W COLLEGE AV	1 1/2 INCH
4107 W COLLEGE AV	1 1/2 INCH
4123 W COLLEGE AV	1 1/2 INCH
4069 W COLLEGE AV	1 1/2 INCH
3901 W COLLEGE AV	1 1/2 INCH
3865 W COLLEGE AV	1 1/2 INCH
3849 W COLLEGE AV	1 1/2 INCH
3801 W COLLEGE AV	1 1/2 INCH
3621 W COLLEGE AV	1 1/2 INCH
3633 W COLLEGE AV	1 1/2 INCH
3641 W COLLEGE AV	1 1/2 INCH
3653 W COLLEGE AV	1 INCH
3661 W COLLEGE AV	1 INCH
3673 W COLLEGE AV	1 INCH
6371 S 35TH ST	1 INCH

6363 S 35TH ST	1 INCH
6351 S 35TH ST	1 INCH
6343 S 35TH ST	1 INCH
6331 S 35TH ST	1 INCH
6323 S 35TH ST	1 INCH
6311 S 35TH ST	1 INCH
6300 S 35TH ST	1 1/2 INCH
6316 S 35TH ST	1 1/2 INCH
6332 S 35TH ST	1 1/2 INCH
6350 S 35TH ST	1 INCH
6354 S 35TH ST	1 INCH
6358 S 35TH ST	1 INCH
6362 S 35TH ST	1 INCH
6370 S 35TH ST	1 INCH
6380 S 35TH ST	1 INCH
6388 S 35TH ST	1 INCH
6384 S 35TH ST	1 INCH
6376 S 35TH ST	1 INCH
6366 S 35TH ST	1 INCH
6604 S 35TH ST	1 1/2 INCH
6604 S 35TH ST	1 INCH
6586 S 35TH ST	1 1/2 INCH
6586 S 35TH ST	1 INCH
6556 S 35TH ST	1 1/2 INCH
6556 S 35TH ST	1 INCH
6516 S 35TH ST	1 1/2 INCH
6516 S 35TH ST	1 INCH
6410 S 35TH ST	1 INCH
6400 S 35TH ST	1 INCH
6430 S 35TH ST	1 INCH
6426 S 35TH ST	1 1/2 INCH
6422 S 35TH ST	1 INCH
6418 S 35TH ST	1 1/2 INCH
6414 S 35TH ST	1 INCH
3829 W COLLEGE AV	1 INCH
3829 W COLLEGE AV	5/8 INCH
3831 W COLLEGE AV	5/8 INCH
3833 W COLLEGE AV	5/8 INCH
3835 W COLLEGE AV	5/8 INCH
3837 W COLLEGE AV	5/8 INCH
3839 W COLLEGE AV	5/8 INCH
3841 W COLLEGE AV	1 INCH
3841 W COLLEGE AV	5/8 INCH
3843 W COLLEGE AV	5/8 INCH
3845 W COLLEGE AV	5/8 INCH
3847 W COLLEGE AV	5/8 INCH
3819 W COLLEGE AV	1 INCH

3819 W COLLEGE AV	5/8 INCH
3821 W COLLEGE AV	5/8 INCH
3823 W COLLEGE AV	5/8 INCH
3825 W COLLEGE AV	5/8 INCH
6503 S 27TH ST	1 INCH
6503 S 27TH ST	5/8 INCH
3709 W COLLEGE AV	5/8 INCH
6341 S 27TH ST	3/4 INCH
3400 W SYCAMORE ST	1 INCH
3400 W SYCAMORE ST	5/8 INCH
3402 W SYCAMORE ST	5/8 INCH
3404 W SYCAMORE ST	5/8 INCH
3406 W SYCAMORE ST	5/8 INCH
3420 W SYCAMORE ST	1 INCH
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3422 W SYCAMORE ST	5/8 INCH
3424 W SYCAMORE ST	5/8 INCH
3426 W SYCAMORE ST	5/8 INCH
6341 S 27TH ST	5/8 INCH
3440 W SYCAMORE ST	1 INCH
3440 W SYCAMORE ST	5/8 INCH
3442 W SYCAMORE ST	5/8 INCH
3444 W SYCAMORE ST	5/8 INCH
3446 W SYCAMORE ST	5/8 INCH
3480 W SYCAMORE ST	1 INCH
3480 W SYCAMORE ST	3/4 INCH
3482 W SYCAMORE ST	5/8 INCH
3484 W SYCAMORE ST	3/4 INCH
3486 W SYCAMORE ST	5/8 INCH
3460 W SYCAMORE ST	1 INCH
3460 W SYCAMORE ST	5/8 INCH
3462 W SYCAMORE ST	3/4 INCH
3464 W SYCAMORE ST	5/8 INCH
3466 W SYCAMORE ST	3/4 INCH
3350 W SYCAMORE ST	1 INCH
3350 W SYCAMORE ST	5/8 INCH
3352 W SYCAMORE ST	5/8 INCH
3354 W SYCAMORE ST	5/8 INCH
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3312 W SYCAMORE ST	5/8 INCH
3314 W SYCAMORE ST	5/8 INCH
3316 W SYCAMORE ST	5/8 INCH
3330 W SYCAMORE ST	1 INCH
3330 W SYCAMORE ST	5/8 INCH
3332 W SYCAMORE ST	5/8 INCH

3334 W SYCAMORE ST	5/8 INCH
3336 W SYCAMORE ST	5/8 INCH
3370 W SYCAMORE ST	1 INCH
3370 W SYCAMORE ST	3/4 INCH
3372 W SYCAMORE ST	5/8 INCH
3374 W SYCAMORE ST	5/8 INCH
3376 W SYCAMORE ST	3/4 INCH
3390 W SYCAMORE ST	1 INCH
3390 W SYCAMORE ST	5/8 INCH
3392 W SYCAMORE ST	3/4 INCH
3394 W SYCAMORE ST	5/8 INCH
3396 W SYCAMORE ST	3/4 INCH
3331 W COLLEGE AV	3/4 INCH
6489 S 27TH ST	1 1/2 INCH
6489 S 27TH ST	5/8 INCH
6525 S 27TH ST	1 1/2 INCH
6525 S 27TH ST	5/8 INCH
3715 W COLLEGE AV	3/4 INCH
6439 S 27TH ST	1 1/2 INCH
6439 S 27TH ST	5/8 INCH
3177 W COLLEGE AV	3/4 INCH
3177 W COLLEGE AV	5/8 INCH
6531 S 27TH ST	1 INCH
6531 S 27TH ST	3/4 INCH
6499 S 27TH ST	1 INCH
6499 S 27TH ST	3/4 INCH
6310 S 108TH ST	3/4 INCH
10535 W COLLEGE AV	5/8 INCH
6421 S 27TH ST	1 1/2 INCH
6421 S 27TH ST	5/8 INCH
6361 S 27TH ST	6 INCH

RATE FILE

Sheet No. 1 of 1

Schedule No. F-1.1

Public Service Commission of Wisconsin

Amendment No. 111

Milwaukee Water Works

Public Fire Protection Service – Suburban: Greenfield, Hales Corners, and St. Francis

For public fire protection service furnished to areas served at retail outside the City of Milwaukee where the suburban retail communities have chosen to have the utility directly bill public fire protection to all classes of retail general service customers under Wis. Stat. § 196.03(3)(b), the charges to cover the use of facilities shall be the following.
(Urban charges in Schedule F-1 plus 25 percent surcharge).

Quarterly Public Fire Protection Service Charges:

5/8 - inch meter - \$	7.19	3 - inch meter - \$	166.09
3/4 - inch meter - \$	7.19	4 - inch meter - \$	270.38
1 - inch meter - \$	23.82	6 - inch meter - \$	509.85
1 1/4 - inch meter - \$	23.82	8 - inch meter - \$	892.24
1 1/2 - inch meter - \$	54.08	10 - inch meter - \$	1,139.44
2 - inch meter - \$	83.05	12 - inch meter - \$	1,390.50

Customers who are provided service under Schedule Mg-2 shall also be subject to the charges in this schedule.

Billing: Same as Schedule Mg-1